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HISTORY
OF THE
GREAT CIVIL WAR

1642—1649

BY

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PREFACE.

IN my preface to the second volume of this work I stated my belief that 'the crucial year of Cromwell's career' was 1647, and that belief has been fully borne out by subsequent investigation. After watching him narrowly through the period when his conduct was most open to attack, I have little fear that any inquiry into his later proceedings will substantially affect the conclusions at which I have arrived.

In forming a judgment on Cromwell it is absolutely necessary to take Carlyle's monumental work as a starting point. Every satisfactory effort to understand the character of a man must be based on his own spoken and written words, though it is always possible to throw in further light and shade from other sources.

To one seeking further knowledge two lines of inquiry present themselves—first the examination of new evidence, and secondly the critical sifting of evidence which has long been before the world. With respect to the material falling under the first head, pre-eminent importance belongs to *The Clarke Papers*, of which the first volume has recently been edited by my friend Mr. Firth for the Camden Society. Of

this volume Mr. Firth obligingly lent me the proof sheets whilst they were passing through the press, as well as the copies which he had made for a second volume which will probably appear at no distant date. These copies have been quoted by me as *Clarke MSS.* to distinguish them from the printed volume. A third set of papers, bound in a folio volume, contain notes of the trials of Hamilton, Capel, and others involved in the second civil war, and have been quoted by me as *Clarke Trials*. I desire to express my obligations to the authorities of Worcester College, in whose possession the originals are, for permission to make use of this latter MS., which is still uncopied. Unfortunately the reports of the trials were so badly taken as to be in many places unintelligible, but a good deal of matter of considerable interest may nevertheless be extracted from them. Taken altogether these *Clarke Papers* bring strongly out the conservative and hesitating side of Cromwell's character, whilst they also bring us, as we have never been brought before, into the very heart of that army in the midst of which Cromwell lived and moved, and enable us to trace the movements of political thought which afterwards developed themselves in the constitutional experiments of the Commonwealth.

Mr. Firth's discovery of the *Clarke Papers* throws every other accession of material into the shade, but valuable information is to be gained from the despatches of the French ambassadors, Bellièvre and his brother Grignon, as well as from those of Montreuil, who, after the removal of the King from Newcastle,

was employed by Mazarin as his agent at Edinburgh until, upon Hamilton's crossing the Border, he was prudently withdrawn, lest his presence in Scotland might be regarded as a defiance of the English Government, with which the Scots were at war. Another valuable source of information is contained in copies lately sent from Rome to the Public Record Office under the title of 'Newsletters,' and quoted by me as the *Roman Newsletters*. This title, however, fails to convey a true idea of their value. The writer was, as appears from internal evidence, a Tuscan priest residing in England, who in the summer of 1647 was employed by Bellièvre to convey messages between him and the army leaders, and who therefore speaks, especially during the time of his employment, with an authority not usually enjoyed by a writer of newsletters.

In the second place arises the necessity of criticising the often-quoted pamphlets written at the time by Cromwell's enemies, which present a consensus of opinion to the last degree unfavourable to his uprightness of character. Subjecting these writings to the first rule of criticism, a large number of them may be peremptorily set aside either as merely containing vague charges, or as produced by men who had no means whatever of knowing the truth. It would be sheer partisanship to treat in the same way the accusations brought by men of transparent honesty such as Lilburne and Wildman, both of whom had considerable means of becoming acquainted with the external facts of Cromwell's life. Yet these accusations stand in such startling contrast

with all that we know of Cromwell from his own written and spoken words that, at the first blush, a conscientious inquirer is fairly puzzled.

Here, however, as in so many other knotty matters, the thread leading out of the maze is to be found by a strict adherence to chronology. It was with no little surprise that I found one charge after another melt away as I was able to fix a date to the words or actions which had given rise to hostile comments. Thus tested, the Cromwell of Lilburne and Wildman shows himself the same man as the Cromwell of the letters and the *Clarke Papers*—no divinely inspired hero, indeed, or faultless monster, but a brave, honourable man, striving, according to his lights, to lead his countrymen into the paths of peace and godliness. The investigation which I have thus conducted is the more conclusive because, whilst it shows that Cromwell was not a hypocrite, it also shows that it was the most natural thing in the world that other men should think him to be one.

On most other sources of information it is enough to refer to the notes. I have again to thank Lord Leicester for allowing me to use his copy of the 'Rinuccini Memoirs,' and I have also made use of the Tanner, the Carte, and the Clarendon Collections in the Bodleian Library. An eighteenth-century copy of a lost account of the siege of Colchester, which is quoted as 'Mr. Round's MS.,' was lent me by Mr. James Round, whose cousin, Mr. J. H. Round, kindly accompanied me in my investigation of the sites connected with the siege, and placed at my disposal his store of local knowledge. As far as the

social history of the period is concerned, I have been allowed by Sir Harry Verney to make use of the vast collection of private letters preserved at Claydon House. I have attempted in dealing with them to confine myself for the most part to such as throw light directly or indirectly on public affairs. Those of my readers who wish to continue their acquaintance with Sir Ralph Verney and his family will soon have an opportunity of doing so, as a work based upon the papers at Claydon was almost completed by the late Lady Verney before her death, and will probably, before long, be ready for publication.

For the plan of Carisbrooke Castle at page 335 I am indebted to the kindness of Messrs. R. Bentley & Son, who have allowed me to reproduce it, with some slight modifications, from Hillier's *Narrative of the Attempted Escape of Charles I.* The map of the siege of Colchester is a reduction—already used in Mr. Cust's *Colchester* in the series of *Historic Towns*—of the old map accompanying the diary of the siege which is in the Map Department of the British Museum. The plans of Westminster Hall and its approaches and of the neighbourhood of Charing Cross are both from maps in the Crace Collection, now in the Print Department of the British Museum. From the first, which was made to show the line taken by the royal procession at the coronation of James II., all indications of the procession have been omitted. In the second, two or three references to buildings have been added.

Since the Hamilton Papers were published by me for the Camden Society I have been able again to

examine, by the permission of Sir W. Fraser, K.C.B., who at that time had this valuable collection in his charge, the letters written in the early part of 1648 by agents of the Hamilton party. Several of these letters are in undeciphered cipher, and were consequently omitted in my volume, and they also find no place in Sir W. Fraser's report to the Historical Commission. On my second visit, however, I found that the ciphers used could be interpreted with the help of deciphers interlined in other letters, and I was therefore enabled without much difficulty to make out almost every one of them. They are here quoted as *Hamilton Papers, Addenda*, and they will, I hope, be printed in the next volume of the Camden Society's Miscellany.

I wish it were possible for me to give adequate expression to my sense of the obligation under which I am to Mr. Firth. He has generously allowed me to draw on his vast stores of knowledge concerning men and things of this period, and has been always ready to discuss with me every point of importance as it arose, often very considerably modifying the opinion at which I had originally arrived.

One pleasing task remains for me to fulfil. In a few weeks seven years will have passed since I promised to the Warden and Fellows of All Souls' College to complete the present work within that space of time. I have now to offer to them my fulfilment of this promise, and to thank them heartily for the associations in which they have permitted me to share, and the friendships which I have been enabled to contract within their walls.

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Errata.

- Page 9, note 3, line 1, for 'Kingstor,' read, 'Kingston.'*
- Page 100, line 4 from bottom of text, for 'inscribed,' read, 'subscribed.'*
- Page 129, line 1, for 'expulsion,' read, 'suspension.'*
- Page 151, first side note, for 'its,' read, 'their.'*
- Page 209, note 1, for 'R. O. Transcripts,' read, 'Roman transcripts, R.O.'*
- Page 284, lines 13 and 23, and side notes 3 and 4, for 'Haselrigg,' read, 'Hazlerigg.'*
- Page 305, line 16, for 'Saunderson,' read, 'Sanderson.'*
- Page 306, bottom line of text, for 'a Welsh judge, David Jenkins,' read, 'the Welsh judge, David Jenkins, who had already suffered imprisonment for his advocacy of the King's rights.'*
- Page 378, line 3 from bottom of text, for 'Scot,' read, 'Scott.'*
- Page 420, first side note, for 'between the feeling of,' read, 'of feeling between.'*

THE GREAT CIVIL WAR.

CHAPTER XLVI.

FINANCIAL AND ADMINISTRATIVE DISORDER.

IN the first months of 1647 a cry was raised on all sides for the restoration of peaceful order. In addition to the devastations of war there had been an enormous increase of the public burdens, though it is impossible to calculate, even conjecturally, what that increase was.¹ The collection of the revenue was in the hands of separate committees, and the funds thus acquired were liable to be drawn on, or even to be anticipated by Parliamentary orders issued, not on the recommendation of any official responsible for the financial soundness of the course adopted, but on the spur of the moment, as news arrived that some fortress was hard pressed, or some regiment was clamouring for pay. Under such conditions economy was impossible. No general balance-sheet was kept, perhaps because the Houses had no mind to look their liabilities in the face. Recourse was constantly

CHAP.
XLVI.
1647
Increase of
the public
burdens.

Confused
finance.

No
balance-
sheet kept.

¹ The greater part of the increase was upon the army and navy. It appears from a report from the Committee of Accounts (*C.J.* vi. 63) that before the formation of the New Model Army, the expense of the navy was about 236,000*l.* a year, and that of the army about 444,000*l.*, making together 680,000*l.* This result is, however, far from being complete, as ordnance stores and money spent on local forces are left out of the account, more than 10,000 soldiers, for instance, being employed in garrisons.

CHAP.
XLVI.
— 1647
Parlia-
mentary
indebted-
ness.

had to loans, and large sums of money were thus obtained from the City, at first simply on Parliamentary security, or, as the phrase then was, on 'the public faith,' and afterwards, as the value of this security decreased, by mortgaging future revenues, or by pledging confiscated property still unsold.

Estimate
of the
Crown
revenue.

Whilst it would be hazardous even to guess at the amount of Parliamentary expenditure, it is not quite impossible to form a conjectural estimate of the revenue of 1647 which may not be very far distant from the truth. The Royal income at this time gathered in by the Parliamentary authorities can hardly have exceeded 450,000*l.*, if, indeed, it reached that amount,¹ though in 1635 it had been estimated at 618,000*l.* Of this revenue the only head on which we have definite information is that of the customs. In 1635 the customs brought in 328,000*l.*; in 1643 they had dropped as low as 165,000*l.*; in 1647, after some fluctuations, they brought in 262,000*l.*²

The
customs.

¹ In 1660 (*Parl. Hist.* iv. 118) the revenue of Charles I., before the Civil War, was estimated at 819,000*l.* From this must be deducted to arrive at the amount of it receivable in 1647, payments which had ceased to be made before that date :

	£
Casual and dropped payments	45,000
Court of Wards	100,000
Decrease of Customs	138,000
Post Office	21,000
	<u>304,000</u>

leaving 515,000*l.* I have deducted a further 65,000*l.* as a moderate estimate of the general decline of revenue owing to the ravages of the war, thus bringing my estimate down to 450,000*l.*

² The receipts from customs were as follows :

	£
1643	165,000
1644	225,000
1645	192,000
1646	276,000
1647	262,000

An income of 450,000*l.* was manifestly inadequate to meet even a peace-expenditure, especially if any considerable part of the army was to be kept on foot. Nothing, therefore, was for the present heard of any proposal to diminish those additional sources of revenue which had been opened by Parliamentary Ordinances since the beginning of the war. These were, in the main, three—the excise, the assessment, and Royalist forfeitures and compositions.

CHAP.
XLVI.

1647
Inade-
quacy of
the
revenue.

The excise, which pressed on all classes alike, was levied not only on food and drink, but on goods of almost every description. In the three years beginning with 1647 it averaged 330,000*l.*¹ The assessment raised by monthly payments from the counties for the support of the New Model Army was estimated at 641,000*l.* a year.² The compositions, taking the average of eight years beginning in 1643, yielded an annual revenue of 162,000*l.*³

Excise.

Assess-
ment.Composi-
tions.

Upon these data, therefore, a rough estimate of the revenue of 1647 becomes possible :

General
estimate of
revenue.

	£
Crown revenue	450,000
Excise	330,000
Assessment	641,000
Compositions	162,000
	<hr/> 1,583,000

The produce of the sale of forfeited lands is not included in this estimate, as it was usually either kept for the payment of debt, or given away to persons who had incurred losses in the service of

R. O. Audit Office Declared Accounts. The drop in 1647, when a large increase would naturally be expected, is probably accounted for by the badness of the harvest in 1646 and 1647.

¹ *Ibid.*

² *L.J.* vii. 204.

³ Preface to Mrs. Everett Green's *Calendar of S. P. Dom.* 1649–1650, p. ix.

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1647

the State, or were held to be specially deserving of reward. As the assessment money was badly paid, the whole revenue was in all probability far below 1,583,000*l.* This sum, however, even if it had been gathered in, would have been quite inadequate for the maintenance of the existing army and navy in addition to the very large current expenses of government, especially as there can be little doubt that speculation prevailed to a considerable extent.

The
labouring
class.

That this increase of taxation, and especially the imposition of the excise, weighed heavily on the poor does not admit of doubt, though the employment of large numbers of agricultural labourers as soldiers no doubt afforded an escape for the more vigorous. The economical position of those who remained at home cannot be accurately defined. In many places they suffered from military violence, but, in spite of the disturbed state of the country, wages appear to have remained much at the level at which they had stood before the war, that is to say, at 7*d.* a day, with a tendency to rise to 8*d.*, this sum being, however, supplemented by the produce of the domestic labour of wives and daughters, by pasturage on commons, and by fowling on moor and fen.

Bad
harvests.

Yet the greatest suffering to which the labourer was at this time subjected arose from a cause entirely independent of human agency. The year 1646 was the first of a series of six years in which the harvest was deplorably bad; wheat, which even in plentiful years seldom fell below 30*s.* a quarter, standing at an average of 58*s.* 7 $\frac{3}{4}$ *d.*, and for the three years beginning with 1647, even at an average of 65*s.* 3 $\frac{1}{2}$ *d.* It is true that the labourer seldom, if ever, tasted wheaten bread; but the oats, the rye, and the pease which

formed the staple of his diet rose in like proportion. On the other hand, meat did not rise to the same extent, the increase of price being about 50 per cent. in the worst years, whereas the price of bread had more than doubled.¹ In one respect, indeed, the position of the labourer may seem to have been worse than at the present day. His wages were fixed by the justices of the peace. Yet the absence of complaint, at a time when every possible grievance found advocates, seems to show that on this score no feeling of resentment was entertained. At all events the justices recognised the strength of the labourer's case for higher wages by raising them gradually, till in 1651 they fixed them at 1s. 2d. a day. As a factor in the religious and political disputes of the time the agricultural labourer counted for nothing. No evidence exists to show that he cared either for King or Parliament. The party which brought him peace and abolished the excise would have his good will, whatever that might be worth.

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1647

Wages
fixed by the
justices.

The
labourer
not a
political
factor.

The effect of the war on other classes is more easily traced. In the spring of 1645 the fall of rents even in the Associated Counties which had been untouched by war, was estimated at a seventh, and it is probable that this was too low an estimate. One proprietor complained that a fourth part of his leases in Suffolk had been returned on his hands, and that from some parts of his estate he received less than half of the income which he had enjoyed before the war.² In the North, the injury to property had been exception-

Burdens
on other
classes.

Falling off
of rents.

¹ Rogers, *Hist. of Agriculture and Prices*, v. 205, 623; vi. 54, 286. Those who calculate the relative value of money in the seventeenth and nineteenth centuries, sometimes forget that, though most commodities were at far lower prices than they are at present, the price of grain was as high or higher. Mutton was ordinarily at 3d., beef at 2d. a lb. Did the labourer eat more meat than at present?

² D'Ewes's Diary, *Harl. MSS.* 166, fol. 210 b.

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1647

ally severe. In the five years ending in 1646, the Earl of Northumberland had lost either by actual damage or by the non-payment of rents 42,500*l*.¹ In Wirral Hundred, Cheshire, the rental of thirty-one estates dropped, between 1642 and 1647, from 4,142*l*. to 2,047*l*.; and in Gloucestershire the rental of twenty-seven estates was similarly reduced from 6,542*l*. to 3,241*l*., the fall in both, about half the amount, being the same in both cases.²

Royalist
composi-
tions.

From a modern point of view, the most faulty part of Parliamentary finance was the exaction of the Royalist compositions. In the case of civil war we feel at once the injustice of marking off as specially guilty one portion of the population, and the folly of exasperating that portion by laying special burdens on its shoulders. To these considerations the men of the seventeenth century were blind. They had before them the precedents of the sweeping confiscations of estates of traitors by a long line of kings, and of the fines imposed on Catholics by the recusancy laws of the reign of Elizabeth. In their eyes the delinquent was as the traitor or the recusant had been. He had, as they fully believed, broken up the peace and order of the realm without adequate excuse, and with this idea firmly fixed in their minds, it is to their credit that they contented themselves with pecuniary mulcts, and, save in the instances of Strafford and Laud, abstained from shedding the blood of their opponents on the scaffold.

Banish-
ment and
confisca-
tion.

It is true that in every treaty with the King it was proposed to except a few of his adherents from pardon, but at the end of the war even these were

¹ Report, Sept. 1646; *Hist. MSS. Com. Reports*, iii. 86.

² *Calendar of the Proceedings of the Committee for Compounding*, part i. pp. 60, 85. In both calculations I have omitted rents given under only one date.

allowed to leave the realm without hindrance, though the whole of their property was confiscated. Other Royalists were treated with more leniency in accordance with a system which had been gradually brought into existence. On March 27, 1643, an Ordinance declared that all who had directly or indirectly assisted the King were to be reckoned as delinquents, and that their property was to be sequestered by the Committee of the county in which it was situated. Another Ordinance on August 19 mitigated this sentence so far as to set aside a sum, not exceeding a fifth of the sequestered income of the delinquent, for the benefit of his wife and children.¹

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1647

1643
March 27.
Sequestration
Ordinance.

Aug. 19.
Allowance
for wives
and
children.

In 1644, by summoning the Oxford Parliament, Charles unwittingly brought about an amelioration in the lot of some who had hitherto supported him. On January 30, in that year, the Houses at Westminster, being anxious to attract deserters, offered pardon to all Royalists who would submit before a certain date. To this offer was affixed the condition that those who took advantage of it should compound for their delinquency by the payment of a sum to be assessed on them towards the relief of the public burdens.² Thirteen persons who submitted on these terms, were allowed to compound by paying a sum usually equal to two years' purchase of their estates,³ and after the expiration of the term fixed, special leave was given to others to compound in the same way.⁴

1644
Jan. 30.
Exceptional
compositions.

It was not till October 1645, after the capture of Bristol, when the whole of England was falling under the power of the Parliament, that this method of dealing with Royalists was made general. All who

1645
Oct. 4.
General
composition.

¹ *Husbands' Collection*, 13, 296. For the date of the first Ordinance see *L.J.* v. 672. See also vol. i. 116.

² See vol. i. 353.

³ *C.J.* iii. 572.

⁴ As for instance to Serjeant Glanville, *ibid.* iii. 720.

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1645

would submit before December 1 were to be admitted to composition.¹ This limit of time was subsequently extended, and thus every opportunity given to all desirous of making their peace, save those whose names were on the list of persons exempted from pardon.²

The Goldsmiths' Hall Committee.

Delinquents who wished to free their estates from sequestration had accordingly to present themselves before the Committee for compounding which sat at Goldsmiths' Hall. This Committee, which was at first composed only of members of the House of Commons, was modified by an Ordinance of February 6, 1647, after which date it consisted of members of both Houses, with the addition of a few persons who were not members of either House.³ The first step required of the delinquent appearing before this Committee was the taking of the Covenant and of the Negative Oath, by which he bound himself never again to bear arms against the Parliament. After this he had to declare the full value of his estate, any misstatement rendering him liable to a heavy fine. These preliminaries having been accomplished, delinquents were arranged in classes. Members of Parliament, for instance, might be deprived of half of their estates, whilst undistinguished Royalists might escape on payment of a sixth part. The rates exacted, however, varied from time to time.⁴

1647
Feb. 6.
Its reconstruction.

The delinquent to take the Covenant and the Negative Oath.

Classification of delinquents.

Condition of the delinquent gentry;

Whatever may be thought of the treatment of the Royalist gentry, it was at least better than the treatment of the Royalist clergy. The gentleman might have to sell or mortgage part of his land, or to cut down the woods which were the pride of his estate, in

¹ *Husbands' Collection*, 751.

² See p. 6.

³ *C.J.* v. 78.

⁴ Preface to Mrs. Everett Green's *Calendar of the Committee for Compounding*.

order to pay his fine, but after this his account with Parliament was closed, and he was free to enjoy what was left to him. The clergyman noted either as a Royalist, or as attached to Episcopacy or the Prayer Book, was ejected from his living, and was thus deprived at one sweep of his means of livelihood; excepting so far as he profited by the fifth of his late income, which was payable to his wife and children in the same way as to lay delinquents whose property was sequestered,¹ though in his case it was payable not by the committee of sequestration, but by the incumbent who had succeeded him. That this fifth was grudgingly paid, and sometimes absolutely withheld, has often been asserted, and it is highly probable that the charge was in many cases well founded. As far, however, as can be judged from the fragmentary evidence which has come down to us, the dispossessed clergy often obtained their rights from the Committee for Plundered Ministers, which, though it had been originally instituted to provide benefices for the Puritan clergy driven from their livings by the King's forces, ultimately acquired a practical supervision over the financial side of ecclesiastical affairs, and frequently intervened to secure the payment of the fifths.²

CHAP.
XLVI.
1647
and of the
delinquent
clergy.

Fifths paid
to wife and
children.

Their
payment
sometimes
withheld.

Action of
the Com-
mittee for
Plundered
Ministers;

Another piece of evidence points in the same direction. In each county there existed a committee charged with the general management of affairs in the Parliamentary interest, and it appears from the minute-book of the Dorset Committee, the only one whose records are now accessible,³ that in that county

and of the
Dorset
Com-
mittee.

¹ See p. 7.

² Proceedings of the Committee of Plundered Ministers, *Add. MSS.* 15, 669-71.

³ This book is in the possession of W. R. Bankes, Esq., of Kingstor Lacy, where he kindly allowed me to examine it.

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1647

at least the payment of fifths was enforced. In one instance, in which the Puritan incumbent refused to pay them to the wife of his predecessor, on the ground that his conscience would not allow him to support malignants, the committee promptly placed his living in the hands of trustees, giving them directions first to pay over the fifths to the wife, and only after she had been satisfied to make over the remainder to the actual holder of the benefice.

Signifi-
cance of
the eject-
ment.

It is needless to inquire minutely into the numbers of the ejected clergy. Whether it exceeded or fell short of 2,000¹ is of no historical importance. The real significance of the ejectment is that it rendered permanent the ecclesiastical disruption of the English Church.

Two
elements
of the
English
Reforma-
tion.

At the time of the Reformation that Church had been brought under two distinct influences. On the one hand, there was a conservative reverence for the past, moulded by the critical spirit of the Renaissance; and, on the other, a readiness to adopt first from Zwingli, and afterwards from Calvin, a system built up out of the study of the Bible itself, without regard to the historical development of Christianity. During the Elizabethan struggle with Spain and Rome the latter influence had been preponderant, and when, in the reigns of James and Charles, a new and rising school amongst the clergy threw itself back on the teaching of the more conservative reformers, it suffered from the enormous disadvantage of having very few lay supporters. The country gentlemen, slow to move, were Calvinists almost to a man; and though time would probably have modified their sentiments, Laud's impatient violence checked the

¹ Walker's *Sufferings of the Clergy*; Calamy's *The Church and the Dissenters*.

natural course of intellectual development. What Laud had failed to do the Long Parliament had gone far to accomplish. It had singled out the Royalist gentleman and the anti-Calvinist clergyman for special penalties, with the result that every Royalist gentleman became not only a sworn foe to Puritanism, but a reverent admirer of doctrines and practices which ten years before he had pronounced to be detestable. Community of suffering draws friends more closely together than community of enjoyment.

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1647

Union
between
the
Royalist
clergy and
laity.

Nor was the work of consolidation amongst the Royalists confined to the healing of the breach between the clergy and the laity. Minor differences no less tended to disappear. Amongst the laity Hyde and Culpepper were in close combination with Charles, whose policy they had long combated; and amongst the clergy Sheldon and Morley, the friends of Falkland, were at one with Jeremy Taylor, the pupil and disciple of Laud. The whole phalanx of the opposition to the Long Parliament had closed its ranks.

Disappear-
ance of
minor
differences.

It would be some time before this union would tell to the advantage of the losing party. Numerous as were the Royalist gentry, they were defeated and overthrown. Without armed force or political organisation they had but to receive the law from their conquerors. Moreover the Presbyterian party in Parliament was also mainly composed of country gentlemen, and so long as the gentry were divided amongst themselves, the weight and influence of their class would be unable to tell.

The adoption of Presbyterianism in 1643 had been the result of mixed motives, in which the desire to conciliate the Scots was the predominant factor.

Parlia-
mentary
Presby-
terianism

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1647

Many therefore who voted for its establishment approved in their hearts of a very different kind of Presbyterianism from that of Scotland—a Presbyterianism such as had appeared in the Root and Branch Bill, in which there were no Church courts, and in which all ecclesiastical jurisdiction was exercised by lay commissioners. Even when Parliament authorised the establishment of Presbyterianism its mode of doing so was of the nature of compromise, as the Church courts although called into existence were subjected to the control of the lay Parliament. In practice the system established was even more remote from the Scottish system. Though the often repeated statement that Presbyterianism was only established in London and Lancashire is very far from the truth,¹ yet it is true that for some little time only London and Lancashire accepted the new scheme:—London because there was there a strong middle class to take possession of the eldership; Lancashire because a strong Puritan organisation was made popular by the presence of a strong Roman Catholic element in the population.

The
Church
and the
county
com-
mittees.

If, however, the Dorset Committee Book may be trusted as an exponent of the system which prevailed in the rest of England—and there seems no reason why it should not—the new Church organisation outside London and Lancashire resembled that of the Root and Branch Bill far more than that of the later Parliamentary Ordinances. In place of the lay commissioners of that Bill, there were the county committees. These committees indeed had no definite authority to govern the Church, and did not

¹ See especially the introduction to the *Minutes to the Manchester Classes*, edited for the Chetham Society by Mr. W. A. Shaw, who will, I hope, conduct a more exhaustive inquiry into the history of English Presbyterianism than is possible in these pages.

interfere in any high-handed fashion unless in cases in which the patronage of a living was under sequestration. Otherwise patrons still presented to the livings in their gift, and when the committee assumed the right of exercising patronage belonging to delinquents, it appointed the candidate most acceptable to the parishioners, subject to his being able to produce a certificate of orthodoxy and good conduct from three approved ministers.

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With the Dorset Committee at least interference with the Church went little farther. In the course of many years it only silenced two ministers, one for using portions of the Book of Common Prayer, and the other a separatist preacher near Weymouth, whom, however, it only ventured to meddle with on the pretext that his sermons attracted the soldiers of the garrison from their duties, and thus exposed the fortifications to an attack from the enemy. Public worship for the most part followed the rules laid down in the Directory, but of internal discipline in the parishes themselves there is no trace, a fact which goes far to explain the ease with which the country at large, in spite of occasional ebullitions of feeling when maypoles were cut down and Christmas sports prohibited, accepted ecclesiastical changes thorough enough in other times to set every county in England ablaze. The notion that Englishmen were at this time ardently craving for relief from the Puritan teaching is one which receives no countenance from documentary evidence. If they were ever driven to revolt it would be by a desire to throw off the burden of taxes or to free themselves from military rule, not from any eagerness to change the Puritan doctrines for those which found credence amongst the cultivated divines who adhered to the fortunes of Charles.

Want of
discipline.The
Puritan
clergy not
unaccept-
able.

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XLVI.

1647

A study of
personal
interests
desirable.

Whatever their motives might be, the gentry of both parties were eventually swept into the current which made for a Restoration. Even at the opening of the year 1647 influences drawing them in that direction were in operation, influences which will be better estimated by dropping generalities for a time, and by studying the particular career of some personage who was not a violent partisan of one side or the other.

The
Verneys of
ClaydonCharacter
of Sir
Ralph
Verney.

Happily knowledge of this sort, though rarely attainable, is offered by the voluminous correspondence of the Verneys of Claydon. Since the death of Sir Edmund Verney, who fell at Edgehill with the King's standard in his hands, his eldest son, Sir Ralph Verney, had become the head of the family. Sir Ralph was formed after the best model of an English country gentleman. Critical by nature, he was, till near the close of a long life, the opponent of every government in turn. He was alike dissatisfied with Laud, with the Presbyterians and the Independents, with Charles II. and James II. At last in extreme old age he died, politically contented as a member of Parliament under William and Mary. In this Sir Ralph was the type of his class and age. His own tender and self-reproachful character was reflected in his melancholy face. In 1650, on the death of his wife whom he dearly loved, he wrote to an intimate friend that so solemn a time was a fitting occasion to search into the faults of his past life. Once in his youth, he confessed, he had been 'fond of a little face,' but the tale which followed was far from being one of passion or sin. The 'little face' was of painted glass in a church window. Slipping out in the dark from the house in which he was then staying, the young Ralph had mounted a ladder and carried off

A youthful
escapade.

the prize. Years afterwards his conscience continued to prick him, and gave him no rest till his friend promised to visit the church and to drop two shillings into the poor-box, in atonement for the boyish theft.¹

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XLVI.

1643

So delicate a conscience could ill brook the rough wear and tear of public life. Sir Ralph, who was a member of the Long Parliament, had remained at Westminster when his father joined the King. In 1643, in consequence of some religious scruple, the exact nature of which is unknown, he refused to take the Covenant. Having no sympathy with Royalism he also refused to join the King, and betook himself with his wife and two of his three children to Rouen, from which place he afterwards removed to Blois. The rental of his estates might seem to be enough to secure him a comfortable living, as from his Buckinghamshire property alone he received slightly more than 1,000*l.* a year,² and he had also property in Oxfordshire and Berkshire, the additional income from which sufficed at a later date, even after some of these lands had been sold, to raise his total income to more than 1,500*l.*³

Sir Ralph
refuses the
Covenant.

His
income.

His estates, considerable according to the reckoning of those days, were, however, not only heavily mortgaged to pay off debts contracted by his father during his life at Court, but were burdened with rent-charges⁴ payable to his three brothers and five

His estates
encum-
bered.

¹ Sir R. Verney to Dr. Denton, June 2, 1650, *Verney MSS.* It is characteristic of the artistic weakness of the age that Sir Ralph adds that the glass was but a trifle, and that he could have had a piece of white glass put in for twopence. In letters written during a visit to Italy, he has no admiration to bestow on anything except a certain grotto at Rome.

² *Calendar of the Proceedings of the Committee for Compounding*, 68.

³ Sir R. Verney to Mrs. Isham, Aug. 22, 1655, *Verney MSS.*

⁴ This is not literally accurate, as the income of two sisters was

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unmarried sisters, one sister only having been married before his father's death. After these payments had been disbursed, the amount left to himself was but small even in good times, and when times were hard it threatened to disappear altogether. What was worse, brothers and sisters for the most part agreed in considering his purse inexhaustible, and were constantly applying to him for additions to their scanty incomes, 40*l.* having been according to his father's disposal of his property the allowance of each of the sons and 20*l.* of each of the daughters.

He pawns
his plate.

Accordingly, Sir Ralph had been forced to pawn his plate to pay the expenses of his journey to France.¹ Before many months passed he is found complaining that he has had to make up the income of his sister Susan to 40*l.* "Would to God," he writes, "every one of my children were sure of 40*l.* a year to keep them from starving, and I should sleep much the quieter, I assure you. Certainly if the taxes, the fall of rents, and other unavoidable losses, together with how many depend upon me, were well considered, it would appear a more liberal allowance than I perceive she deems it."²

He has a
double pro-
tection.

In one respect Sir Ralph was more fortunate than his neighbours. In the beginning of the war he obtained a letter of protection for Claydon from the Earl of Essex on account of his own adoption of the Parliamentary cause, and another from Rupert on account of his father's services to the King and his

charged on the alnage revenue assigned to Sir Edmund as security for 1,000*l.* paid by him to the Privy Councillor's Loan (see *Hist. of Eng.* 1603-1642, ix. 76). As, however, this security was not now available, Sir Ralph paid the income of his sisters out of his own estate, thus practically converting the burden into a rent-charge.

¹ Sir R. Verney to Edmund Verney, Nov. 1643. *Verney MSS.*

² Sir R. Verney to Dorothy Leke, May $\frac{3}{13}$, 1644. *Ib.*

death at Edgehill. Hoping, accordingly, that his house would be safe from plunderers to whichever side they belonged, Sir Ralph offered it as a refuge to any of his five unmarried sisters who might be unable to find a home with other relatives. It was but a poor retreat at the best for young girls in time of war, with no woman of their own rank to guide their steps.

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XLVI.

1643

Claydon a
a refuge
for his
sisters.

In the summer of 1644 four of Sir Ralph's sisters were at Claydon. Two of these, Susan and Penelope—or, to give them the names by which they were invariably known amongst their friends, Sue and Pen—were young women, whilst the other two, Mary and Elizabeth, were still children. With them was Sir Ralph's youngest son, John, a child in weak health. The remaining unmarried sister Margaret, or Peg, had for the time found a home elsewhere.

1644
The party
at Claydon.

Sue and Pen at this time kept up a constant correspondence with their brother abroad. In their letters is never to be found any appreciation of the great issues of the struggle raging around them, nor is there any sign of their possessing any kind of intellectual interest. Their minds are entirely occupied with the everyday affairs of life, and they fill the sheets which they despatch with querulous complaints now of one person, now of another. Pen is vexed because the nurse of her little nephew refuses to act also as lady's maid to herself and to comb her hair. Sue is out of temper because Mrs. Alcock, Sir Ralph's housekeeper, expects her to pay 25*l.* a year out of the 40*l.* which was now her income for her 'diet, and half a maid's,' besides requiring her to find 'firing, candles, and soap' at her own expense. Sir Ralph had as little comfort from his brothers as

Letters of
Sue and
Pen.

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XLVI.

1644

from his sisters. Tom, the eldest of the three, was in the course of a long life guilty of every villainy short of murder, and was constantly dunning Sir Ralph for money in the most sanctimonious language. Henry, the next, was a cold-hearted man of the world; whilst the youngest, the chivalrous and affectionate Edmund, was fighting on the King's side, and, by some mischance, his letters, full of the tenderest feeling, miscarried,¹ leaving Sir Ralph under the impression that his best-loved brother was as heartless as the rest.

1643
Losses by
war.

1644

The fortune of war, too, played sad havoc amongst the Verney kindred. Towards the end of 1643, Hillesdon House, hard by Claydon, the residence of Sir Ralph's Royalist cousin, Sir Alexander Denton, was stormed by Cromwell and burnt to the ground, Sir Alexander himself being lodged in the Tower. In 1644 a son of Sir Alexander, John Denton, was killed in a fight near Abingdon. "I think," wrote Mrs. Isham, an aunt of Sir Ralph and Sir Alexander, "if these times hold there will be no men left for women."²

A marriage
in the
Tower.

Matters, however, had not reached that stage as yet. A Royalist, Colonel Smith, who was one of the Hillesdon prisoners transferred to the Tower, employed his enforced leisure in courting Sir Alexander's daughter. The couple were married, and soon after the ceremony had been performed Smith succeeded in effecting his escape. Suspicion of having aided in his evasion fell not only on his young wife, but also on Mrs. Isham, who lived in London, and in this suspicion Sue Verney, who was visiting her aunt at the time, was unfortunately involved. The charge,

¹ See vol. i. 5.² Mrs. Isham to Sir R. Verney, Aug. 15, *Verney MSS.*

however, could not be substantiated against any one of the three ladies, and after a week's imprisonment they were all released. Imprisonment in those days was expensive as well as unpleasant. The houses which had been occupied by persons arrested were usually ransacked by constables in the hope of finding evidence against them, and property was apt to disappear in the process. "I lost," wrote Sue to her brother, "almost all my linen, and the best of it new, so I have not any left that is fit to wear."¹

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XLVI.
1644
Sue's
imprison-
ment.

Once more Mrs. Isham's melancholy forebodings were falsified. Sue had before long more pleasing tidings to impart. "My brother Thomas," she wrote in November 1644, "has wished me to a gentleman which has a very good fortune for me, for he has at the least 300*l.* a year." All the Verney sisters were Royalists, and Sue, therefore, was careful to add that if the gentleman had not been on the King's side, she would 'not think of it.' He was, it appeared, a widower without children, so that the match was in every way desirable. Unfortunately he was at the time 'a prisoner for his sovereign.' Before long, however, it came out that, as a matter of fact, John Alport, the gentleman in question, was confined as a debtor in the Fleet. Being a good-natured, weak man, he had become security for a friend, who had allowed the burden to rest upon his shoulders rather than on his own.²

Sue's en-
gagement.

Tom's activity in match-making was doubtless not unrewarded, and his next achievement was to find a suitor for Pen, a certain Mr. Thorne, who was also a widower, but whose estate was worth as much as 500*l.* a year. Henry Verney, who also interested

1645
Pen's en-
gagement.

¹ Sue Verney to Sir R. Verney, Oct. ?, *Verney MSS.*

² Sue Verney to Sir R. Verney, Nov. 6. *Ib.*

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XLVI.
1645

The en-
gagement
broken
off.

Sue's cor-
respond-
ence.

himself in the affair, wrote to Sir Ralph, who was, of course, expected to find portions for the two girls, that Thorne is deeply in love with Pen, and 'presents her daily both with his purse and person.'¹ Then ensued the usual wrangle over the settlements, which, in time of peace, would probably have ended in a compromise. As it was, Thorne stood to his demands. He must have the interest of 1,000*l.* and good security for the capital. Sir Ralph offered an allowance of 50*l.* a year to his sister. Thorne insisted on an engagement to make over land worth 1,000*l.* within three years of the marriage. Sir Ralph, heavily indebted and harassed by claims on every side, declared this to be impossible, and the ardent lover broke off the engagement. Some years afterwards Pen married one of her Denton cousins without any settlement at all. Her husband, who was given to drink, had before marriage promised to abandon his bad habits if she would accept him, a promise which, it need not be said, was not strictly observed.

In Sue's case there were somewhat similar difficulties. She was constantly flinging her poverty and her thriftiness in her brother's face. On March 6, 1645, she wrote that she had but one gown, of 'very coarse stuff, which had cost her 'but forty shillings, tailor's bill and all.' The greater part of her wardrobe, she again complained, had disappeared at the time of her imprisonment. "I was left," she declared, "so bare in shifts that I was fain to wear my Aunt Isham's, whilst² I could make some very coarse ones, for fine I could not buy, and I never ware any so bad in all my life."³ Then followed long pleadings for

¹ The correspondence on this affair is too voluminous for special quotations.

² *i.e.* until.

³ Sue Verney to Sir R. Verney, March 16. *Verney MSS.*

money. Sir Ralph did his utmost this time, even offering land as security if a loan could be raised upon it. His father's half-brother, Sir John Leke, wrote in July 1645, just after Naseby had been fought, and when, therefore, the worst stress of the war was at an end, that one of his friends might possibly be induced to lend, but his name was not to be disclosed, 'so jealous are they of discovery, for no man must be known to have money.'¹

CHAP.
XLVI.
1645
Difficulty
of raising
money.

On his side, Sir Ralph pleaded the difficulty of giving security that would be considered satisfactory in the City. "It is true," he wrote, "my estate at present lies . . . in the midst of troubles. I have no remedy for that. Were it in my power to remove it, I would soon place it in the midst of Cheapside to encourage the moneyed citizens to lend upon it."² In a little less than two years he had received but 90*l.* out of which to meet his own family expenses. "Losses, taxes, brothers, sisters, and some little interest hath swallowed up the rest, and yet I am railed at beyond measure."³ Finally, in August 1646, Sue was married to John Alport, and spent her honeymoon happily in the Fleet prison.

Sir Ralph
impo-
ver-
ished.

1646
Sue's
marriage.

It was not only on the Verney family that the pressure of the times fell. "I have lately received your letter," wrote another young lady to her suitor, "by which I perceive you have received mine, wherein I sent you my full and instant resolution concerning the disposal of myself. I will never do it without the consent of my mother, by whom I must in duty be advised; and, though I were never so free and at my own disposing, I will in no sort engage myself in the

An offer
refused.

¹ Sir J. Leke to Sir R. Verney, July 3. *Verney MSS.*

² Sir R. Verney to Sir J. Leke, Aug. 11. *Ib.*

³ Sir R. Verney to Dr. Denton, Sept. 3. *Ib.*

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XLVI.

1645

way of marriage without her free consent. Besides, these distracted times affright me from thinking of marriage, and the rather because I conceive that all men's estates are very desperate, for aught that I can hear; and whereas you desired me to make inquiry of you and your estate, I cannot hear of any you have at all; and I would have you know, without an estate I will neither marry you nor no man living, and such as my friends will like of. This is my resolution, and the reason why I deal so plainly with you is this: you have made so great professions of your affections in your letters to me, for which I must needs return you many thanks."¹

Cary
Gardiner's
marriage.

'These distracted times' form the burthen of well nigh every letter in this vast correspondence. On none did the sorrow fall more heavily than Cary, the only one of Ralph's sisters who was married in her father's lifetime. Her husband was Thomas Gardiner, the son of the Sir Thomas Gardiner of Cuddesdon, who had been Recorder of London, and Charles's candidate for the Speakership of the Long Parliament. By an arrangement not uncommon in those days, the young couple were to live in the house of the parents of the bridegroom. Between Cary and her mother-in-law there was constant bickering, but her husband's kindness compensated for the discomfort. When the Civil War broke out he took service in the King's army, and so distinguished himself at the relief of Newark, that Rupert chose him to bear to the King the tidings of victory. Charles knighted him on his arrival, and everything seemed to mark him out for a distinguished career; but in 1645 he was killed in a skirmish, and his young widow, who was in immediate expectation of becom-

¹ Mary Villiers to Col. Busbridge, Aug. 23. *Verney MSS.*

ing a mother, was thrust without a penny upon the house of her father-in-law, and thrown for support on the slender resources of her brother.

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XLVI.

1645

Sir Ralph was personally in trouble enough. On September 22, 1645, he was expelled the House for absenting himself from his duties as a member. His sensitive mind felt the sentence as a bitter trial. "I received," he wrote to his friend Sir Roger Burgoyne, who had informed him of his misfortune, "your most sad letter . . . which I confess brought me tidings of one of the greatest and most inexpressible afflictions that ever yet befel me, for which my soul shall mourn in secret."¹ One thing alone was clear to him. He could not soil his conscience by taking the Covenant, even to avoid beggary itself. He soon learnt that beggary was impending. Though his only fault was absence from Parliament, and though he had never even breathed a word in the King's favour, the sequestration of his estate was talked of at Westminster. It was no mere question of a composition which would have compelled him to sell a portion of his estate to save the rest. No one was admitted to compound till he had first taken the Covenant, and the Covenant Sir Ralph would not take. Months, however, passed by without news of the dreaded sentence, and during this long period of suspense, fear alternated with hope. It was not until October 14, 1646, that Claydon was actually sequestered.

Sept. 22.
Sir Ralph
expelled
the House,

and
threatened
with se-
questra-
tion.

1646
Claydon
seques-
tered.

The story
of the
Verneys
a sample.

Though the story of the Verneys is but the story of a single family, it is a sample of the miseries weighing on many hearts, which combined to produce an ardent longing for peace as the only possible relief.

¹ Sir R. Verney to Sir R. Burgoyne, Oct. 10, *Verney MSS.*; *C.J.* iv. 282.

CHAPTER XLVII.

THE PRESBYTERIANS AND THE ARMY.

CHAP.
XLVII.

1647

Feb. 3.
The King
sets out for
Holmby.Feb. 7.
Touching
for the
King's evil.A hearty
welcome.Feb. 13.
Fairfax
meets
Charles.Charles
in North-
ampton-
shire.

ON February 3, 1647, Charles set out from Newcastle, travelling to Holmby House by easy stages, under the guardianship of Commissioners of the English Parliament. At Ripon he touched for the King's evil. As he approached Leeds, the road, for about two miles, was crowded with persons who had ostensibly come to be restored to health by his wonder-working hands, but who were for the most part attracted by curiosity.¹ Curiosity easily passed into enthusiasm. Royalism had gained favour in the North during the Scottish occupation, and wherever the King passed bells were rung and every sign of rejoicing was shown. When he drew near Nottingham, Fairfax rode out to meet him, alighted from his horse, and kissed his hand. "The General," said Charles to one of the commissioners, "is a man of honour. He hath been faithful to his trust, and kept his word with me."² Some thought of the lip-service of the Scottish nobility doubtless rose in Charles's mind as he spoke, but everything that he witnessed on his journey contributed to put him in a good humour. Even in Puritan Northamptonshire hundreds of the gentry appeared to escort him, and in Northampton itself

¹ The Commissioners to the Speaker of the House of Lords, Feb. 3, 9. *L.J.* viii. 713; ix. 6.

² *The King's Majesty's Speech*, E. 377, 12.

bells were rung and guns fired in his honour. Wherever he showed himself he was greeted with shouts of "God bless your Majesty!" When he reached Holmby, though still practically a captive, he fancied his cause half won, and was in excellent spirits.¹

In truth, the welcome accorded to Charles was very similar to that which had deluded him on his return from Scotland in 1641. His subjects were sick of heavy taxation, of the continual existence of an army which made taxation necessary, and of the yoke of the County Committees; but they were not yet in a mood to cast themselves unreservedly at his feet. "No man knows," was the burden of a letter from Northampton, "what a bondage it is to be under the power of an army, but they that feel it." To settle the Church—that is to say, to establish Presbyterianism; to defend the King from libellers, and to put down the committee-men, were, according to a lively rhymester, all the steps which it was necessary to take for the consolidation of peace.² It seemed hardly possible to garner in the results of the war and to secure the permanence of the religious and political institutions which had grown up during its course if there was to be a complete change in the form of government. If the King refused to take his place at the head of the new order of things, the outlook would indeed be gloomy. Distractions of every kind would be multiplied as each section of the community strove to embody in new constitutional forms its own views of that which was necessary or desirable. It was the reluctance to face this danger of drifting into anarchy which led each party in turn to make efforts to win Charles over to its side, whilst Charles's per-

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Feb. 16.
He reaches
Holmby.

Explana-
tion of the
popular
welcome.

Import-
ance of
gaining
the King.

¹ *The King's Majesty's Propositions*, E. 377, 16.

² *The Copy of a Letter*, E. 373, 20; *Time's Whirligig*, E. 374, 10.

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Jan.
A fresh
Presby-
terian
negotia-
tion.

sistency in abiding by his own ideals was to render every one of these efforts futile.

Already, before Charles set out from Newcastle, the leading Presbyterian Peers, Warwick, Holland, and Manchester, combined with Northumberland, who represented the less thoroughgoing Independents, to trace out the lines of a pacification which would, as they hoped, be less objectionable to the King than the propositions offered to him in the preceding year. They took for the basis of their scheme the concession of Presbyterianism for three years which Charles himself had suggested in September,¹ but which he had in his private correspondence explained to be a contrivance by which he hoped to gain the ultimate re-establishment of Episcopacy. According to the proposals now made Charles was to concede Presbyterianism for three years and the militia for ten, whilst he would no longer be asked to sign the Covenant. On his acceptance of these conditions, he was to be invited to come to Theobalds, or to some other place in the immediate neighbourhood of London. Bellièvre, who had been admitted to the consultations in which this plan was concocted, engaged to forward it to Henrietta Maria, in order that, if she approved of it, she might transmit it to her husband.²

The Pres-
byterians
swallow
the bait.

That the Presbyterian leaders should thus have swallowed Charles's bait was a matter of capital importance. It was by their acceptance of his terms that their coalition with the Royalists, which almost restored him to the throne in 1648, and which actually restored his son in 1660, was rendered pos-

¹ See vol. ii. 552.

² Bellièvre to Mazarin, ^{Jan. 29}_{Feb. 8}, *R.O. Transcripts*. Memorandum sent to Mazarin, *Constitutional Documents*, 226.

sible. In so doing they had fallen back on the natural basis of Parliamentary statesmanship, a readiness to accept a compromise, and a belief that in the long run progress is attainable through the higgling of the political market. They calculated that before the three years had expired some arrangement would have been come to satisfactory both to the King and to themselves. Their greatest error was their failure to realise that in Charles they had to do with a man who regarded any possible compromise merely as a half-way house to the complete realisation of his own ideas, and that as long as they left to him the negative voice, he could reject any Bills presented to him, and so could by his mere silence restore Episcopacy, after the lapse of three years, to the legal position which it held in the summer of 1641.

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There was certainly nothing in the language which at this time escaped Charles's lips to render it probable that he would yield on any important point. On February 10 a letter from one of the commissioners in attendance upon him was read in the House of Commons, from which it appeared that he had been so indiscreet as to say openly that, if he had but patience for six months, things would be in such confusion that he would obtain his ends without trouble.¹ A letter was intercepted in which Charles himself wrote to an old Cavalier, bidding him to keep himself in readiness and reminding him that there were still many honest men in England. So alarming were these revelations that when Bellièvre visited the

Feb. 10.
Charles's
unguarded
language.

Feb. 12.
Bellièvre
in the City.

¹ "Qu'il est certain qu'ayant patience six mois toutes choses se brouilleront, en sorte que ses affaires se feront sans qu'il s'en mesle." Bellièvre ascribes this letter to a brother of Sir Henry Mildmay, but there was no Mildmay amongst the commissioners.

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City on the 12th with the object of urging the acceptance of the Presbyterian scheme, with certain modifications contained in a letter which he had received from the Queen, he found all doors closed against him. Peace, he wrote to Mazarin, was desired by the Royalists above all other things, but it was now the general opinion that Charles did not wish for peace.¹

Feb. 9.
The King's
Com-
munion
plate to be
melted.

Nor were the Presbyterians in Parliament more conciliatory than their brethren in the City. On February 9 the Commons ordered that the Communion plate of the Chapel Royal should be melted down and transformed into a dinner service for the King's use.²

March 2.
No house-
hold to be
provided.

On March 2 they declined to provide a household for him, apparently to indicate that he was not to be treated as a King till he had accepted the Parliamentary terms.³ On the 8th the Lords took the initiative in refusing his request to be allowed his own chaplains, a request which Charles had hoped to make palatable by the specious plea that he needed their advice upon any proposals which might be made to him for the alteration of religion.⁴

March 8.
He is not
allowed
his own
chaplains.

"I wish," said Marten audaciously, when the vote of the Lords was brought down to the other House, "the King may have two chaplains, as I desire to prepare him for heaven."⁵ The Commons taking no notice of this outrageous argument concurred with the Lords.

A Pres-
byterian
majority.

Both Houses, in fact, were now controlled by a Presbyterian majority; a considerable number of members who had previously voted with the Independents in order to be rid of the Scots, swinging round to the Presbyterians as soon as that object

¹ Bellièvre to Mazarin, Feb. $\frac{12}{32}$. *R.O. Transcripts*.

² Whitacre's Diary, *Add. MSS.* 31, 116, fol. 301.

³ *C.J.* v. 102.

⁴ *L.J.* ix. 68, 69.

⁵ Letter of Intelligence, March 18, *Clarendon MSS.* 2,472.

had been gained. The new majority, however, had no easy task before it. Its leaders, Holles, Stapleton and the others, were men of no special ability, and were hardly likely to succeed in persuading the King to acknowledge the doctrine of Parliamentary control. The problem with which they were immediately confronted was scarcely less difficult. The nation was crying out for a diminution of taxation, and no diminution of taxation was possible without a complete or partial disbandment of the army.

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Difficulties
before it.

On February 15 there was a demonstration of popular feeling serious enough to startle Parliament into immediate financial action. A man who had purchased an ox at Smithfield refused to pay the excise. The bystanders took his part, and in the tumult which ensued the collectors were cudgelled, their office burnt down, their books torn, and 80*l.* scattered or carried off. It required the personal intervention of the Lord Mayor and Sheriffs to quell the disturbance.¹ The Presbyterians were ready enough to move in the direction indicated by the riot. On the next day they welcomed a petition from Suffolk asking for the establishment of Presbyterianism as the national religion, the suppression of an accursed toleration, and the disbandment of the army.² Before long the example of Suffolk was followed by most of the other Associated Counties.

Feb. 15.
A riot at
Smithfield.Feb. 16.
A Suffolk
petition.

On February 18 the Presbyterian scheme for dealing with the army was brought forward in the Commons. It was first proposed that 6,600 horse and dragoons should be maintained in England, and as this motion only involved the reduction of the existing force by 400,³ it was agreed to without a

Feb. 18.
Scheme
for the
reduction
of the
army.¹ *The Weekly Account*, E. 377, 3.² *L.J.* ix. 18.³ There were 7,000 horse and dragoons in the New Model.

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Feb. 19.

division. The first serious conflict came on the following day, when the Presbyterians, by a majority of only 10,¹ carried a resolution that, except in garrisons, no infantry should be kept in pay in England.²

Advantages of the
scheme.

The plan thus adopted was from a constitutional point of view not without its merits. The cavalry, the most difficult part of an army to train and discipline, was to be preserved almost intact. Cavalry, however, without the co-operation of infantry was helpless in a campaign, and the only infantry on which such a force could rely would be the trained bands, which, composed as they were of civilians summoned from their daily occupations for temporary service, would be most unlikely to assist in the establishment of a military despotism. The whole organisation of the country would be of a piece. As in the State Parliament was to act as a check upon the Crown, and in the Church the lay elders were to act as a check on the ministers, so in the army the civilian infantry were to act as a check on the professional cavalry. It is undeniable that a certain unity of idea pervaded the whole plan of the Presbyterian party.

Feb. 20.
A letter
from
Ormond.

The only difficulty remaining was to dispose of the existing infantry, and on the 20th a letter from Ormond³ offered a means of bringing the intended disbandment within moderate limits. Ormond, as might have been foreseen, had at last found it necessary to make his choice between the Papal Nuncio and the English Parliament.⁴ On January 16 the citizens of Dublin refused longer to support the 1,425 men who formed the only effective force remaining

Jan. 16.
Dublin
refuses to
support his
soldiers.

¹ 158 to 148.

³ *C.J.* v. 91.

² *C.J.* v. 90, 91.

⁴ See vol. ii. 576.

under his command.¹ For a few days he continued to make head against this sea of troubles, but on February 6 he abandoned hope, and, waiving his former stipulation that he should not be required to leave Dublin till the King's consent had been obtained,² he offered to surrender the Lord Lieutenantship to the English Parliament without any other conditions than those necessary to secure his own personal good treatment.³ From the despatch in which Ormond announced his resolution, the Houses learnt that the burden of the war in Ireland would henceforth fall on their shoulders, and they were thus enabled to offer service in Ireland to those soldiers of the New Model who were unwilling to return to civil life.

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Feb. 6.
He offers
to sur-
render his
office.

Prospect of
employ-
ment for
the
English
soldiers.

Before shaping out a plan for the reduction of Ireland, the House completed its scheme for the military establishment in England. It was agreed that, with some stated exceptions, the existing fortifications should be demolished. Walled towns were to be rendered easily accessible, whilst actual fortresses, like Ashby and Donnington, were to be so dealt with as to leave no more than picturesque ruins for the enjoyment of future generations. The fewer the defensible positions left, the less numerous would be the garrisons to be kept in pay, and the more difficult would it be to resist the authority of the central government.

English
fortifica-
tions to
be de-
molished.

Whatever merits the plan of the Presbyterians may have had, their mode of dealing with the army was most inopportune. They seem, indeed, to have thought that, with the nation on their side, they

¹ Lambert to Ormond, Jan. 16; Petition of the Citizens of Dublin, Jan. 16, *Carte MSS.* fol. 145, 149.

² See vol. ii. 546.

³ *L.J.* ix. 29.

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March 4.
The Lords
refuse to
continue
the pay of
the army,March 6.
and inter-
fere with
Fairfax.

could afford to treat the army with contempt. On March 4 the Lords, acting as though it were a light thing to rouse the indignation of every man in the ranks, rejected an Ordinance providing for the continuance of the assessment on which the payment of the troops depended.¹ This vote proved to be only the first of a long series of blunders. On the 6th the Lords followed up their mistake by forbidding Fairfax to quarter his troops in the Eastern Association, as though they were anxious to reserve a space in which a new force might be brought into existence to hold head against the existing army.²

March 5.
Attack on
Fairfax
in the
Commons.March 6.
A letter
from
Fairfax.Numbers
of the
proposed
Irish army.

In the Commons the conduct of the Presbyterian leaders was equally provocative. On the 5th they attempted to oust Fairfax from the command of the horse and dragoons, which were henceforth to constitute the regular army; but at this point their followers broke away from them and frustrated their plans. On the 6th a letter reached the House in which Fairfax, with every expression of goodwill, offered to co-operate with Parliament in despatching troops to Ireland. On this the Commons proceeded to fix the numbers of the new Irish army. It was to consist of 8,400 foot, 1,200 dragoons, and 3,000 horse, making in all a force of 12,600 men. A further vote decided that this whole body of horse and foot should be formed out of the army under Fairfax.³ There would thus remain for disbandment about 6,000 foot.⁴ As, how-

¹ *L.J.* ix. 57.² *Ib.* ix. 66.³ *C.J.* v. 107.

⁴ The number of foot originally in the New Model was 14,000. As 8,400 were wanted for Ireland, there would remain 5,600. As, however, the army was now slightly increased (*Whitacre's Diary, Add. MSS.* 31, 116, fol. 306), the number of foot to be disposed of may be reckoned at about 6,000.

ever, the ambassadors of France and Spain were on the look-out for recruits, and as it was probable that many of the men desired to return to their homes, the number of foot soldiers driven against their inclinations to relinquish a military career could not be large. As far as the horse and dragoons were concerned, there were needed for England and Ireland together, 10,800 men,¹ or 3,800 more than Fairfax's army could produce.

Having thus, as they fondly imagined, provided against any discontent amongst the soldiers, the Presbyterians struck at the higher organisation of the army. On March 8 the House resolved that, with the exception of Fairfax himself, there should be no officer in the new army with rank above that of a colonel; that no member of the House of Commons should hold any command in England, and that no one who refused to take the Covenant should be an officer at all. These resolutions, which were obviously directed at Cromwell's military position, were all carried without a division. A farther motion that all officers should conform to the government of the Church established by Parliament was the first which the Independents ventured to challenge, but on this they were beaten by a majority of 136 to 108.²

It can hardly be doubted that if all England had been polled the result would have been overwhelmingly in favour of any scheme which would diminish or set aside the preponderance of the army. Yet a wise dealing with minorities is not the least of the arts of government, and in this art the Presbyterians had yet

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Effect of
the new
arrange-
ments on
the exist-
ing army.March 8.
An attack
on Crom-
well.Majorities
and mino-
rities.

¹ For England 6,600, and for Ireland 4,200; the horse and dragoons of the New Model being 7,000.

² *C.J.* v. 107.

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March 10.
A fast
against
heresy and
schism.March 11.
A petition
from
Essex.Cromwell's
comment
on it.Reply to
the Essex
petitioners.The army
kept at a
distance
from
London.

to prove their skill. On March 10, by their appointment, a long-announced fast was held with the object of imploring Divine protection against heresy and schism, and, unless Cromwell was misinformed, some 200 men were raised near Covent Garden to prevent the soldiers 'from cutting the Presbyterians' throats.' On the 11th the Houses received a petition from Essex warning them against the danger of an approach of the army to the neighbourhood of the City, and imploring them that the petitioners might not 'be eaten up, enslaved, and destroyed by an army raised for' their defence. A few days later Cromwell, writing to Fairfax, quoted this petition as showing that there wanted not 'in all places men who have so much malice against the army as besots them.' "Never," he added, "were the spirits of men more embittered than now. Surely the devil hath but a short time!"¹

For the present at least the Presbyterians in the House of Commons refused to adopt this direct defiance of the army to which the Essex petitioners had invited them. By the mouth of the Speaker, the House replied that it had 'no cause of jealousy of the army,' and liberty was given to Fairfax to quarter his troops wherever he saw fit.² Fairfax accordingly forbade his regiments to approach within twenty-five miles of London, and with this the House professed itself well satisfied.³ It had already voted, in the teeth of the Lords,⁴ that the assessment of 60,000*l.* a month should be continued for the support of the armies of England and Ireland.⁵ When on March 17

¹ *L.J.* ix. 72. Cromwell to Fairfax, *Carlyle*, Letter xliii. In the original the letter is undated. Carlyle suggests that it was written on March 11, but I incline to put it a few days later. The soldiers who were to cut the Presbyterians' throats were probably those who were in London absent on leave.

² *C.J.* v. 114.

⁴ See p. 32.

³ *Ib.* v. 115.

⁵ *C.J.* v. 114.

the Presbyterians in the City attempted to force the hands of their allies in the House by presenting a petition requiring that the King should take the Covenant and the army be speedily disbanded,¹ no heed was taken of their hasty counsels, and it seemed possible that the Presbyterian majority in the House of Commons might prove itself capable of disposing of the military difficulty in a manner satisfactory to itself and to the country.

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March 17.
A City
petition.

Of all men living no one was so deeply touched as Cromwell by the rout of the Independent Parliamentary party. Not only was his policy defeated, but he himself was practically excluded from military service in England. It was probably on this occasion that the bitterness of his soul found expression in a conversation with Ludlow. "It is a miserable thing," he is reported to have said, "to serve a Parliament, to which let a man be never so faithful, if one pragmatical fellow amongst them rise and asperse him, he shall never wipe it off, whereas, when one serves a general, he may do as much service, and yet be free from all blame and envy."²

Cromwell's
Parliamentary
defeat.

Irritated as Cromwell was, it does not follow that he had any thought of resistance. The army had constantly boasted that it was a Parliamentary army, and the belief that obedience to Parliament was the only safeguard against anarchy had settled itself firmly in Cromwell's mind. "In the presence of Almighty God, before whom I stand," he had recently declared to the House, "I know the army will dis-

He has no
thought of
resistance.

Declares
that the
army will
obey the
Houses,

¹ *C.J.* v. 115.

² *Ludlow* (ed. 1751) i. 160. The conversation is there placed soon after the death of Essex; but Ludlow's chronology is so loose, that I have ventured to transfer it to a date at which the story can be fitted in with existing conditions. In the autumn of 1646 Cromwell and his friends had a Parliamentary majority.

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and pro-
poses to
take
service in
Germany.

band and lay down their arms at your door, whenever you will command them.”¹

How little disposed Cromwell was to stir up a military revolution is shown by his actions. Towards the end of March he was weighing, in frequent conferences with the Elector Palatine, a proposal to transfer himself, with as many of the victors of Naseby as he could carry with him, to the battle-fields of Germany. News had arrived that the negotiations at Münster were likely to end in a grant of toleration to the Lutherans and its denial to the Calvinists; and Cromwell might well have been prepared, if it proved true, to wield his victorious sword in the cause of toleration in Germany now that he was compelled to sheath it in England.²

¹ Walker (*Hist. of Independency*, 31) connects these words with the passing of an Ordinance for disbandment. He probably refers to an Ordinance for raising money for this purpose which was brought in on March 20, and read a second time on March 22. That some such language was used by Cromwell at this time is shown by Lilburne's letter to Cromwell on March 25, in which he says that he had heard the day before that Cromwell was thwarting a petition from the army 'because forsooth you had engaged to the House they shall lay down their arms whensoever they shall command them.' *Jonah's Cry out of the Whale's Belly*, p. 3. E. 400, 4.

² This negotiation with the Elector Palatine is only known from Bellièvre's dispatch of July $\frac{15}{25}$ (*R.O. Transcripts*). The ambassador states that the Elector had intended to ask Parliament for troops 'et qu'il avoit en ce sujet de grandes conferences avec Cromwell . . . qui se croyoit lors nécessité de quitter l'Angleterre.' Here there is no date given, but Bellièvre puts the statement just before he refers to another event which took place early in April. We also know that on March 25 the Elector acquainted the House of Lords with news which he had received from Münster (*L.J.* ix. 105). According to *The Moderate Intelligencer* (E. 383, 8), this news related to an attempt of the Lutherans to exclude Calvinists from toleration in the coming peace, and this explanation is confirmed by a paper presented by the Elector on May 4, relating to a proposed confirmation of the Treaty of Prague in which Calvinists were excluded from toleration. Salvetti, too, wrote to Gondi on April $\frac{2}{12}$ (*Add. MSS.* 27, 962 L. fol. 341) that the Elector had asked Parliament to allow him to use its army

The project thus entertained by Cromwell was, however, speedily abandoned, possibly because the ripening of events convinced him that he had still a place in England. The Presbyterian leaders, encouraged by Cromwell's opinion that the army was ready to submit to disbandment, had obtained from the Committee for Irish Affairs the appointment of a deputation—of which Clotworthy and Waller were the most distinguished members—to visit Fairfax's head-quarters at Saffron Walden in order to engage officers and men as volunteers for service in Ireland. On March 21 a meeting of forty-three officers, with Fairfax in the chair, received the deputation in Saffron Walden church. The officers, after hearing the message brought to them, all promised to do what they could to induce their men to go to Ireland, but not one of them would volunteer personally until a satisfactory answer had been given to four questions: What regiments were to be kept in pay in England? Who was to command the army in Ireland? What assurance was there for the payment and subsistence of those who went to Ireland? Finally, what satisfaction was to be given 'in point of arrears and indemnity for the past service in England'? On the last two demands the meeting was unanimous. On the first there were twelve, and on the second seven, dissentients. On the following day a second meeting was held; but with a few exceptions all present adhered to their previous resolution, and it was agreed that

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Cromwell
remains in
England.A deputa-
tion to the
army.March 21.
A meeting
at Saffron
Walden.Four
questions
asked.March 22.
A second
meeting.

in the recovery of his states. No doubt the Presbyterians would have been delighted thus to get rid of Cromwell and the sectarians of the army. I may add that Cromwell's conduct on this occasion strengthens my view that he supported the first Self-denying Ordinance with the real intention of abandoning his position in the army.

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Leaders
of the
movement.

a petition should be drawn up to give effect to their wishes.

Amongst the supporters of the petition were some of the most notable officers of the New Model: the two Hammonds, Whalley, Robert Lilburne, Okey, Pride, and, above all, Commissary-General Ireton, who wielded the pen as well as the sword. Colonel Rich objected to the first question being put, but was immovable on the other three.¹

View of the
deputa-
tion.

The members of the deputation took offence at the determination of the officers to embody their demands in a petition. They seem to have been of opinion that the officers had no grievances whatever, and that in any case they had no right to question the orders of Parliament. They accordingly appealed to Fairfax, and Fairfax, giving them good words, disclaimed all knowledge of the existence of a petition, but assured them that whenever it reached him he would take care that nothing was retained in it which could give reasonable offence to Parliament.² Private solicitations with particular officers were more effectual than the public appeal to the assembled officers, and by the night of the 22nd twenty-nine of them had consented to abandon the demand for information as to the regiments selected for service in England, and to volunteer for Ireland in confidence that Parliament, without urgency on their part, would give satisfaction on the remaining wishes of the meeting.³

They
appeal to
Fairfax.Twenty-
nine
officers
volunteer.Motives of
the officers
in opposi-
tion.

No doubt many of the officers who still supported the four demands were actuated by other motives besides those which they ostensibly put forward. They wanted, it may fairly be argued, to oppose Parliament mainly because they hoped to make use

¹ *L.J.* ix. 112. *Waller's Vindication*, 49, 50.² *Ib.* 51.³ *L.J.* ix. 114.

of the army to baffle the restrictive policy of the Presbyterians. Yet it was only by placing the material interests of the soldiers in the foreground that they could hope to keep the army united. On all other matters it was far from homogeneous. Large numbers of the soldiers cared little for politics or religion. On a question of the pocket they were ready to stand up as one man, and the question of the pocket was, in a very real sense, a pressing one. The pay of the foot-soldiers was now eighteen weeks in arrear, and that of the horse and dragoons no less than forty-three.¹ The need of indemnity for injuries to life or property done in time of war was even more important. A soldier named Freeman had recently been subjected to an action on account of his conduct as a soldier; and though the House of Commons had promptly interposed on his behalf, and had ordered the judges to dismiss all similar actions in future,² those who were exposed to danger were well-advised in asking that the question might be settled in their favour in some way more binding on the courts than the order of a single House.

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The army
not homo-
geneous.

Long
arrears
owing.

Need of an
indemnity.

Under these circumstances the attitude of the officers was certain to have a powerful effect in the ranks. The soldiers, knowing that they had most to lose if the interests of the army were neglected, drew up a petition of their own, differing in many respects from the petition of the officers, and couched in somewhat violent language; and it was not without difficulty that the officers, as soon as they became aware of its existence, induced the men to tone it down, and to address it, not to Parliament, but to Fairfax.

A soldiers'
petition.

It is toned
down by
the officers.

¹ *C.J.* v. 126.

² *The Moderate Intelligencer*, E. 386, 3.

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Its
demands.

The soldiers' petition, in its final shape, was not unreasonable. Besides a request for indemnity and for the payment of arrears, it contained demands that those soldiers who had formerly volunteered to serve Parliament might be exempted from impressment in any future war;¹ that the widows and orphans of soldiers killed in service might receive pensions; that such soldiers as had in any way suffered through their adherence to Parliament might be compensated for their losses; and that, finally, the whole army might, up to the time of its disbandment, be supplied with enough ready-money to meet the expenses incurred in the quarters of the soldiers.²

Indigna-
tion at
West-
minster.

Cromwell
dissatis-
fied.

Moderate as these demands were, they provoked a storm of indignation at Westminster, where it was held that soldiers were bound to unquestioning obedience. It is especially noteworthy that even Cromwell looked on the petition³ with dissatisfaction, as an attempt of soldiers to dictate to Parliament with arms in their hands.⁴ Yet Cromwell, if he had

¹ This demand would therefore not apply to the pressed men who formed a large part of the infantry.

² *The Declaration of the Army*, E. 390, 26. Waller in his *Vindication*, p. 51, says that the petition was 'pretended to come from the soldiers, but framed and minted by some of the principal officers.' The account given in the *Declaration*, that it was first drawn up by the soldiers and afterwards put into shape by the officers is probably true.

³ The officers' petition may be defended on the ground that Parliament by asking them to volunteer for Ireland gave them a right to state the terms on which they were willing to do so. The soldiers' petition was a request for fair treatment whether they volunteered or not; but its being addressed to Fairfax ought to have been accepted as bringing it within the bounds of military discipline.

⁴ On this point the evidence of John Lilburne is conclusive. "O dear Cromwell," he wrote to him, "the Lord open thine eyes and make thy heart sensible of those snares that are laid for thee in that vote of the House of Commons of 2,500*l. per annum* (*C.J.* v. 57). . . As poor Mordecai . . said unto Queen Esther, so say I to thee . . Thou great man, Cromwell! Think not with thyself that thou shalt escape in the Parliament House more than all the rest of the Lamb's poor

had his way, would surely have dealt with the offenders in a gentle spirit, and have avoided any word or act which might render them desperate of obtaining justice. The very contrary course was taken by the Presbyterian majority. On the 27th Clotworthy, after making a report of the proceedings of the commissioners, produced a copy of the soldiers' petition, which the House abruptly ordered Fairfax to suppress. The whole matter was then referred to a committee, but beyond a cold acknowledgment 'that, notwithstanding any information this day given to the House, they have a good

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March 27.
A report
from the
Commis-
sioners.

The
soldiers'
petition
to be sup-
pressed.

despised redeemed ones, and therefore, O Cromwell, if thou altogether holdest thy peace, or stoppest and underminest, as thou dost our and the army's petitions at this time, then shall enlargement and deliverance arise to us poor afflicted ones, that have hitherto doted too much on thee, O Cromwell, from another place than you silken Independents; . . . and therefore, if thou wilt pluck up thy resolutions, and go on bravely in the fear and name of God, and say with Esther, 'If I perish, I perish'; but if thou would not, know that here before God, I arraign thee at his dreadful bar, and there accuse thee of delusions and false words deceitfully, for betraying us, our wives and children, into the Haman-like tyrannical clutches of Holles and Stapleton, against whom we are sufficiently able to preserve ourselves if it were not for thee, O Cromwell, that art led by the nose by two unworthy covetous earthworms, Vane and St. John—I mean, young Sir Henry Vane and solicitor St. John, whose baseness I sufficiently anatomised unto thee in thy bed above a year ago. . . . O Cromwell, I am informed this day by an officer out of the army and by another knowing man yesterday that came a purpose to me out of the army, that you and your agents are likely to dash in pieces the hopes of our outward preservation—their petition to the House, and will not suffer them to petition till they have laid down their arms whensoever they shall command them, although I say no credit can be given to the House's oaths and engagements to make good what they have promised. And if this be true, as I am too much afraid it is, then I say, Accursed be the day that ever the House of Commons bribed you with a vote of 2,500*l. per annum* to betray and destroy us. Sir, I am jealous over you with the height of godly jealousy."—Lilburne to Cromwell, March 25, *Jonah's Cry out of the Whale's Belly*; E. 400, 5. The ordinary notion that Cromwell said one thing in the House and another thing in the army is thus disposed of, at least up to March 25.

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opinion of the army,' no effort was made to convince the soldiers that the Commons were in any way ready to listen to their complaints.¹

Amount
of arrears
claimed.

Suicidal
policy of
the Pres-
byterians.

No doubt it was difficult to comply even with the justifiable wishes of the army. The arrears of the New Model amounted to no less than 331,000*l.*,² and it would not be easy to raise so large a sum. Yet it can hardly have been financial difficulties alone which actuated the Presbyterians in their high-handed contempt of the army. Whatever their motives may have been, the course which they adopted was absolutely suicidal. Their one chance of obtaining the quiet disbandment of the army lay in a determination to satisfy the demands for arrears and indemnity, which were all that the greater number of the soldiers really cared for, thus leaving the religious enthusiasts without support. This chance they deliberately threw away, thus knitting together in a common bond against themselves all the various elements of which the army was composed.

March 29.
Two letters
read in the
House.

Worse was yet to come. If the Presbyterians had acted unwisely on the 27th, at least they had kept their temper. On the 29th two letters were read in the House which fairly drove them off their balance. In these it was stated that not only was the petition still in circulation amongst the soldiers, but that a committee of officers had been formed to take it in charge as soon as it had been fully signed in the ranks, thus establishing a connection between the soldiers and the officers. It was further alleged that Colonel

¹ *C.J.* v. 127. In his *Vindication* Waller says that Ireton denied the existence of the petition, and afterwards admitted it on the receipt of a letter from the major of Rossiter's regiment. We have not, however, Ireton's own words before us to enable us to judge how far this charge was true. It does not seem likely that Ireton should have told a gratuitous lie.

² *C.J.* v. 126.

Pride had obtained eleven hundred signatures by threatening to cashier all who refused to sign; and that every regiment at a distance from head-quarters was, with the single exception of Skippon's, on the march towards Saffron Walden.¹ Instead of directing Fairfax to inquire into the truth of these allegations, the House summoned the two Hammonds, Robert Lilburne, and Pride—Ireton being already in his place at Westminster—to attend at the bar.² Protests were even heard against this resolution as too lenient, and it was asked that the petitioners might be declared traitors, and that Cromwell might be arrested. The debate was prolonged into the night, and after many of the Independents had left the House under the impression that nothing would be done till the following morning, Holles seizing the opportunity, scribbled a declaration on his knee, and at once obtained its acceptance by the House.³

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Officers
sent for.

Attack on
Cromwell.

This Declaration, to which the Lords gave their adherence on the following day, was issued as the manifesto of the whole Parliament. "The two Houses of Parliament," it announced, "having received information of a dangerous petition with representations annexed, tending to put the army into a distemper and mutiny, to put conditions upon the Parliament, and obstruct the relief of Ireland, which had been contrived and promoted by some persons in the army, they do declare their high

March 30.
The De-
claration
of the
Houses.

¹ *L.J.* ix. 115.

² *C.J.* v. 128.

³ Ludlow's story (*Memoirs*, ed. 1751, i. 164) evidently fits in here, though he jumbles it up with Cromwell's leaving the House, which really took place on June 3. Another observation ascribed by Ludlow to Cromwell: "These men will not leave till the army pull them out by the ears"—was really spoken under very different circumstances, in the following August; see p. 183.

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dislike of that petition, their approbation and esteem of their good service who first discovered it, and of all such officers and soldiers as have refused to join in it, and that for such as have been abused, and, by the persuasion of others, drawn to subscribe it, if they shall for the future manifest their dislike of what they have done, by forbearing to proceed any farther in it, it shall not be looked upon as any cause to take away the remembrance and sense the Houses have of the good service they have formerly done, and, on the other side, all those who shall continue in their distempered condition, and go on advancing and promoting that petition, shall be looked upon and proceeded against as enemies of the State and disturbers of the public peace.”¹

No effort
to meet the
complaints
of the peti-
tioners.

Skippon
summoned.

Not only did the Houses refrain from giving in this Declaration the slightest hint of a desire to meet the complaints of the petitioners, but in passing a resolution to borrow 200,000*l.*, the Commons expressly announced that the money was to be used ‘for the service of England and Ireland.’ Not a penny, it seemed, was to be spent in satisfying the arrears of the soldiers’ pay. At the same time Skippon was to be summoned from the North to resume his duties as major-general in Fairfax’s army, where, as was hoped, the influence of that sturdy and honest soldier would be put forth on the side of Parliament. The Presbyterian leaders were as lacking in imagination as Charles himself. They had no conception of the effect which their stinging words would produce on an already discontented soldiery.

¹ Declaration, March 30, *L.J.* ix. 115.

CHAPTER XLVIII.

THE AGITATORS.

BEFORE the Declaration of the Houses had time to work mischief, a letter from Fairfax¹ informed the Commons that in one respect at least they had been deceived. The report of a general rendezvous at Saffron Walden, it appeared, was without foundation. On April 1, the day on which this letter was read, the incriminated officers appeared at Westminster fully prepared to justify themselves. Pride, who was the first to be called to the bar of the House of Commons, declared that the special charge brought against him of having obtained signatures to the petition by threats was also without foundation. After this there was nothing to be done but to send the officers back to their posts, with directions to do everything in their power to suppress the obnoxious petition;² but so hot was the temper of the members that Ireton, having justified the petition, was bitterly attacked by Holles, and a challenge passed between the two. Other members, however, intervened in time to prevent the duel from taking place, and ultimately the House itself ordered the disputants to lay aside their quarrel.³

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March 30.
A letter
from
Fairfax.April 1.
Pride
clears
himself.The
officers
sent back.Quarrel
between
Holles and
Ireton.¹ Fairfax to Lenthall, March 30, *Rushw.* vi. 445.² *C.J.* v. 132; *Rushw.* vi. 444.³ *C.J.* v. 133. "Mr. Holles and Major (*sic*) Ireton going over the water to fight, were hindered by Sir William Waller and some others who observed Mr. Holles to deride Ireton's arguments in justification of the army's petition, which was the occasion of the quarrel." Letter of Intelligence, *Clarendon MSS.* 2748. A later news-letter gives a story that Holles went out prepared to fight, but that Ireton came

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Arrangements for the government of Ireland.

1646

Lord Lisle Lord Lieutenant.

1647
Jan.March
He quarrels with Inchiquin.

Michael Jones to command in Dublin, and Inchiquin in Munster.

At Westminster there was no conception of the gravity of the situation created by the refusal of the Commons to listen to the complaints of the soldiers. The House lightly turned to the consideration of the future government of Ireland, as if the troops now in England would without difficulty be available for the summer campaign. In 1646 Parliament had appointed Lord Lisle, the eldest son of the Earl of Leicester, Lord Lieutenant for a single year.¹ Ireland, however, offered few attractions, and it was not till the end of January 1647, that Lisle set forth. He had scarcely landed at Cork before he gave deep offence to Inchiquin, the Lord President of Munster, by taking out of his hands the command of the troops in his own province.²

After this Parliament was not disposed to prolong Lisle's term of office. The retirement of Ormond³ had by this time given hope of access to Dublin, and the Houses accordingly appointed Colonel Michael Jones, who had distinguished himself at Rowton Heath and in the siege of Chester,⁴ to take the command in Dublin, though he could not leave England till Ormond had actually surrendered the sword of office. At the same time, Lisle's recall restored Inchiquin's supremacy in Munster. Parliament was resolved that in future the civil and military authority should no longer be combined in one person, and, with the intention of entrusting the former to commissioners of its own, it appointed Skippon to without a sword, pretending that it was against his conscience to take part in a duel, which, according to the writer, confirmed 'the general opinion that the Independents are deadly cowards,' *Ib.* 2495. On this, with some further embellishment, is built Clarendon's statement that Holles pulled Ireton's nose, *Clarendon*, x. 104.

¹ *L.J.* viii. 127, 261.² Inchiquin to Manchester, March 10; Lisle to Manchester, March 13, *L.J.* ix. 108; x. 94.³ See p. 31.⁴ See vol. ii. 323.

command the army with the title of Field Marshal, and Massey to serve under him as his lieutenant-general.¹ Both these officers had done good service in the war, but their military careers had not been sufficiently distinguished to rouse enthusiasm in the army, especially as they were both disposed to support the policy of the Presbyterians.

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Skippon
and
Massey
to com-
mand the
whole force
in Ireland.

The soldiers, indeed, were in no complying mood. Though they do not seem as yet to have thought of resistance, they were working themselves up into a temper which might ultimately lead to it. Why, they asked, when all other men were allowed to petition Parliament itself, were they forbidden to make their complaints known even to their own general?²

Temper of
the army.

For such mutterings the Houses had no ear. In their anxiety to hasten the formation of the new army destined for Ireland, they despatched to Saffron Walden a new body of commissioners, amongst whom were Warwick, Waller, and Massey, to persuade as many as possible to volunteer for the service. On April 15, soon after their arrival at head-quarters, the commissioners urged Fairfax to threaten with penal consequences all who attempted to obstruct their proceedings. Fairfax briefly answered that, as the men were asked to volunteer, it would be unreasonable to prohibit freedom of discussion amongst them. Fairfax undoubtedly resented the harsh language of the recent Declaration, but he was not the man openly to resist the authority of Parliament, and he contented himself with refusing to co-operate with the commissioners whenever he thought it prudent to hold aloof.³

April 15.
Parlia-
mentary
commis-
sioners at
Saffron
Walden.

¹ *L.J.* ix. 122; *C.J.* v. 131, 133.

² Letters from Saffron Walden, *Rushw.* vi. 446.

³ *Rushw.* vi. 457.

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An officers'
meeting.

In the afternoon the commissioners, after an address to a meeting of two hundred officers in the church, were at once met with a demand for an answer to the four queries put to the former deputation.¹ On their refusal to comply with this request, the conversation turned on the names of the new commanders. There was a general impression that Skippon would refuse to serve in Ireland, and he had in fact already sent a letter of excuse to the House of Lords.² Why, called out one of the officers, might they not go under their old generals? This suggestion was at once caught up. Cries of "All! All! Fairfax and Cromwell and we all go!" rang round the church. The commissioners, finding that no better answer was to be got, hereupon dissolved the meeting, inviting such as were inclined to volunteer to give in their names personally.

A repre-
sentation
to Parlia-
ment to be
prepared.

With this invitation a few complied. The larger number appointed a committee to draw up a representation to Parliament asking for an answer to the four queries, and urging that if the old generals were named, 'it would conduce much to their encouragement and personal engagement.' This proposal was supported by the signatures of about a hundred infantry officers, and most of the cavalry officers added their signatures on the following day.

April 16.

April 17.
The com-
missioners
appeal to
Fairfax,

and try to
gain the
volunteers
by their
interests.

The commissioners were not slow in taking steps to counteract this alarming demonstration. They extracted from Fairfax a letter requesting the officers to forward the Irish service, though they failed to induce him to put his request in the form of a command. They also appealed to the interests of the officers, offering certificates of arrears to those who

¹ See p. 37.

² *L.J.* ix. 138.

volunteered, and dealing out promotions with a lavish hand. These overtures were not without effect. A fair number of officers as well as of private soldiers expressed their readiness to go to Ireland.¹ Amongst these officers was Kempson, Robert Lilburne's lieutenant-colonel. In order to save him from temptation he was directed to move off, with 520 of his men who had volunteered with him, in the direction of Chester.

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Kempson
starts for
Chester.

At this the soldiers who had refused to volunteer took umbrage. Every possible effort was made to induce Kempson's men to change their minds, and a considerable number turned back. On the 21st a certain ensign Nichols was caught circulating the soldiers' petition amongst those who held firm, and urging them to return to their old quarters. On the same day Lilburne intervened in person. Regarding himself as still the colonel of the whole regiment, he ordered Kempson and his followers to march into Suffolk. This at least the commissioners were able to hinder, but they were unable to recover the men who had been enticed away. Fairfax was not eager to abet their proceedings, and as he was really suffering from ill-health, he chose this moment to set off for London for medical advice. Without him the commissioners were powerless.²

April 21.
Nichols
circulates
the peti-
tion.

Lilburne
orders
Kempson
into
Suffolk.

Failure of
the com-
missioners.

In all this the Presbyterians saw the hand of the 'Godly party,' which had caused anxiety in Baxter's mind two years before,³ when he had accused some of its members of being eager to use the army for

The 'Godly
party' in
the army.

¹ *Waller's Vindication*, 85.

² *Ib.* 88; *L.J.* ix. 152; Narrative of the Proceedings at Saffron Walden, *Clarke Papers*, i. 5.

³ See vol. ii. 306.

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John
Lilburne's
influence.

*A new-
found
Strata-
gem.*

the enforcement of a system of toleration, and others of regarding it as a spiritual aristocracy set apart by God Himself to lead an enslaved nation through the wilderness into the promised land of righteousness and freedom. John Lilburne, who, though still a prisoner in the Tower, was in constant communication with the hotter spirits in the army, and was, if not the writer, at least the inspirer of an anonymous pamphlet entitled *A new-found Stratagem*, in which the hopes of the 'Godly party' were clearly revealed. It was a reply to an invitation circulated by the Essex clergy in which they called on their parishioners to join in petitioning Parliament for the disbandment of the army. Its main argument was that the resolution of the Commons to raise 60,000*l.* a month for the armies in England and Ireland¹ showed that the Presbyterians had no real intention of lessening taxation, and that as an army was in any case to be kept up it would be better to put up with the old one which, except when the Presbyterians stopped its supplies, had always paid its way, than to submit to a new one which would probably be less well behaved.

"Whose poultry," asked the anonymous writer, "hath this army destroyed? Whose goods have they spoiled, or whose sheep or calves have they stolen?" The way was thus cleared for the assertion that the army was needed to protect law and liberty, that so, in case 'their just demands be denied contrary to duty, oath, and covenant, the poor Commons may have a shelter and defence to secure them from oppression and violence; and his excellency and every soldier under him by the duty of his place

¹ See p. 34.

and virtue of the Protestation¹ is bound thereunto.’²

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The Pres-
byterians
distrust
the army.

The army, in short, was to be the organ of political progress. No wonder that the Presbyterians, with their respect for Parliamentary procedure, were anxious to be rid of it. What is strange is that they did not perceive that their unsympathetic handling of the soldiers’ complaints was welding into one forces which they might easily have kept apart, and even throwing power into the hands of men whom they most cordially detested. If arrears had been paid, and indemnity granted, the ‘Godly party’ would have been isolated. No doubt the country, impatient as it was of taxation, would not easily have been induced to supply the necessary funds ; but it is hard to believe that the City would not have found the money required, if it were once plainly understood that only in this way could the army be broken up.

April 15.
A military
gathering
at Ipswich.

The process by which the soldiers who cared only for their pay were being thrown into the arms of the political and religious enthusiasts is well illustrated by the letter of a Suffolk Presbyterian. He tells us that at a meeting held by Ireton’s regiment, which was at that time quartered at Ipswich, the men were of one mind in crying out “All disband, or none !” The writer of the letter had not far to seek for the cause of this unanimity. “Though the army,” he assures his correspondent, “differ in religion, they all agree in their discontented speeches against the Parliament. The soldiers conclude that they who have been so badly paid in England shall be wholly neglected if they go to Ireland. As for the petition, they now speak it openly that they will

Unanimity
of the
soldiers.

¹ *i.e.* the Declaration or Petition of the soldiers.

² *A new-found Stratagem*, E. 384, 11.

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Their
feeling
towards
Parlia-
ment,and to-
wards the
King.Charles at
Holmby.

send it up with two out of every troop.”¹ If their deputies were imprisoned, the whole army would follow and starve out its enemies in London. It was thought that there were many discontented men in the City, ready to side with the soldiers. In Essex most people were dissatisfied because Parliament had not proclaimed an immediate reduction of taxation. The levy of 60,000*l.* a month was in everyone’s mouth. “The people here grow very discontented, and the very report of the continuance of taxes doth so gall the country as it makes them too apt to listen to the discontented speeches of the soldiers.” The growing distrust of a Parliament unsound on the question of arrears was turning the thoughts of the soldiers in an unexpected direction. “The soldiers both in Norfolk and Suffolk sing one note, namely, that they have fought all this time to bring the King to London, and to London they will bring the King—some of the soldiers do not stick to call the Parliament men tyrants. Lilburne’s books are quoted by them as statute law.”²

The suggestion of an understanding between the army and the King was nothing new. The Independents had been pressing for it ever since the surrender of Bristol. They may now have thought that Charles would by this time be sick of the treatment accorded to him by the Presbyterians, and be at last ready to come to terms with themselves. His seclusion at Holmby was not at all to his taste. He was indeed permitted to ride about the country with an escort, and to play at bowls in the gardens of the neighbouring gentry, but he was not allowed to com-

¹ This is the first hint of the choice of Agitators.

² A letter from Suffolk, April 20, *The Duke of Portland’s MSS.*

municate with anyone approaching him without the authority of the Houses. A gentleman attempting to convey to him a letter from the Queen had lately been arrested.¹ About the middle of April, however, fortune favoured Charles better. A certain Colonel Bamfield, a Royalist intriguer, contrived to corrupt his barber, and by this channel he for the first time heard of the scheme² which the Presbyterian lords had endeavoured to transmit to him through the Queen more than two months before.³

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April 8.
His correspondence stopped.He hears
of the
Presbyterian
overtures.

Other news, no doubt, reached Charles in the same way. He may have heard how his wife was instructing the Prince of Wales, now a tall youth in his seventeenth year with dark hair and a swarthy complexion, in the art of making love. The object of this premature courtship was to a day three years older than the Prince, the daughter of the Duke of Orleans, the Great Mademoiselle, as she was called, whose large dowry would make up for the disproportion in years. The lad showed himself an apt pupil enough, but the young lady merely flirted with her youthful admirer, having set her heart on marrying the emperor, and the young Charles's love-making therefore did not prosper.⁴

The Prince
of Wales's
courtship.

The Queen's political schemes proved as ineffectual as her matrimonial. On March 1 Mazarin, hoping to concentrate the French armies for a final

The
Queen's
political
schemes.

¹ *L.J.* ix. 131.

² Bamfield's *Apology*, p. 20. Bamfield's evidence is to be received with caution, but so much as is given above may, I think, be accepted, as Bellièvre writes about this time that he was now again able to send letters to the King, and Lady Anne Halkett, in her autobiography, speaks of Bamfield as actually receiving letters from Charles.

³ See p. 26.

⁴ *Mémoires de Mademoiselle de Montpensier* (ed. Chéruel), i. 126, 138.

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attack on the Spanish Netherlands, had brought the Elector of Bavaria to sign a truce for a year. To Henrietta Maria it was all-important that the continental wars of France should be brought to a close in order that when once the military drain on the resources of the country had been lightened, the French Government might be able to turn its attention to the restoration of the King of England. Accordingly, towards the middle of April, backed by a fervid clerical coterie, she urged the Queen Mother, Anne of Austria, to restore peace to Christendom. Ultimately, however, the influence of Mazarin proved too strong for her, but at the time when she wrote the letter which Bamfield conveyed to Charles, the hope of success must have filled her mind.¹

Charles
hopeful.

Charles, therefore, was once more sanguine. He now knew not only that France seemed likely to interfere in his favour, but also that influential persons at Westminster had proposed in February to come to an understanding with him on terms not very different from those which he had himself offered to accept. While he was meditating on the favourable prospects thus opening before him, he received a message purporting to be an invitation from the army to take refuge in its ranks, in order that it might restore him to his honours, his crown, and his dignity. "We will not," he replied, "engage our people in another war. Too much blood hath been shed already. The Lord be merciful to my distracted kingdoms when He accounts with them for rebellion

April 21.
A message
purporting
to come
from the
army.

¹ Chéruel, *Hist. de France pendant la minorité de Louis XIV.* ii. 278. The Queen-Mother was being urged by Henrietta Maria to make peace about the end of Lent, Easter-day following on April $\frac{11}{21}$ according to the new style.

and blood ; but let the army know that we highly respect their expressions, and when we shall, by the blessing of God, be restored to our throne in peace, we shall auspiciously look upon their loyal affections towards us.”¹

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As soon as the substance of this invitation to the King was published abroad, all knowledge of the matter was stoutly repudiated by officers and soldiers at head-quarters. If conjecture may be hazarded as to the authorship of the proposal, what little evidence there is seems to point to Ireton. It was in his regiment at Ipswich that the notion of opposing the King to the Parliament was first heard of,² and this notion spread rapidly in other parts of the eastern counties. On May 5 it was reported at Saffron Walden that ‘some of the foot about Cambridgeshire give out that they will go for Holmby and fetch the King, which gives much offence and scandal.’³

The message repudiated at head-quarters.

Ireton its probable author.

May 5. Talk of fetching the King.

Nor was Ireton himself an unlikely man to take the initiative in such a project. Though he was a good and steady officer, he had at no time shown signs of military genius, and his failure to cope with Rupert at Naseby had raised a suspicion that his promotion to the high post of Commissary-General was due to the fact that he was Cromwell’s son-in-law. Yet, apart from the domestic bond, Ireton was possessed of qualities sufficiently similar and suffi-

Character of Ireton.

¹ His Majesty’s answer, *Carte MSS.* xx. fol. 630. The petition of the army got abroad and was mentioned in several of the newspapers. Ormond’s informant—for the *Carte Papers* are in reality, as far as this part of them is concerned, Ormond Papers—was concerned only with the King’s answer. That it is found in this collection is strong evidence of its genuineness.

² *The Moderate Intelligencer*, E. 386, 2. See p. 52

³ Relation from Walden, May 5, *Clarke Papers*, i. 25.

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ciently dissimilar to those of Cromwell to lay the basis of a lifelong friendship. There was in Ireton a deep, and at the same time tolerant, religious earnestness which early drew him into the ranks of the Independents. Yet, if his convictions were as strong as Cromwell's, they were far more definite. Spiritually he stood on a lower level. It is most unlikely that Ireton ever went through those mental struggles which preceded Cromwell's conversion. He was not one to see visions, or to dream dreams, or in the midst of active work to pour forth outbursts of religious rapture. Neither had he that all-embracing hospitality of soul which made Cromwell so marvellously tender to fanatics and fools. His strong sense of the value of form made him the constitutional authority of his party. What he said was always clearly thought out and clearly expressed, but it gave no glimpses into the immensity of the spiritual horizon such as those which brighten so many of Cromwell's utterances. Hence, whilst Cromwell provoked enmities, Ireton provoked quarrels. Men distrusted Cromwell because he was to them incomprehensible. They disliked Ireton because they understood him only too well as the author of sayings and actions in direct opposition to those favoured by themselves.

Ireton
shifts his
ground.

When such a man as Ireton shifts his ground, he shifts it without much warning. If Ireton came to the conclusion that he could no longer trust Parliament as the central authority in the kingdom, he would be likely to leap rapidly to the conclusion that the King must be conciliated, just as, rather more than six months later, upon his discovery that the King could no longer be trusted, he leapt rapidly to the conclusion that terms could be kept with him

no longer. To such a nature suspension of judgment is intolerable. There is, on the other hand, reason to believe that Cromwell was now passing through one of those long periods of hesitation which with him always preceded important action. He had come to see that good results were not likely to be attained by devotion to Parliament; but his belief in the necessity of accepting Parliamentary supremacy was too deep-rooted to be hastily shaken, because in his case loyalty to Parliament sprang from long habit and from the craving of an orderly mind for authority which, once shattered, would be difficult to replace. It was observed that during the latter part of April both Cromwell and Vane absented themselves except on rare occasions from the House;¹ but there is no reason to suppose that either of them took any steps to bring its authority into contempt. No doubt their dislike of the course which Parliament was taking was balanced by a rooted distrust of the King.²

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Cromwell's
hesitation.

He absents
himself
from the
House.

Whilst Cromwell and Vane doubted, that chartered libertine Henry Marten was giving full licence to his bitter tongue. "I know not," he said, when complaints were made of the flocking of multitudes to Holmby House in the hope of being cured by

Marten's
saying
about the
King's evil.

¹ Letter of Intelligence, April 29, *Clarendon MSS.* 2,504.

² Earlier in the month Bellièvre had written of the feeling of the Parliamentary Independents about opening negotiations with the King: "Les Independans," he says, "sont desunis; la plus part manquent de cœur, et ceux d'entre eux qui pourroyent entreprendre quelque chose de grand à l'avantage du Roy de la Grande Bretagne en sont retenus par l'opinion qu'ils ont que l'on ne se peut fier audit Roy, qui ne garde point de secret, et qui n'a point eu de constance dans toutes les resolutions importantes qu'il sembloit avoir pris, jusques icy, près des uns et des autres." Bellièvre to Mazarin, April $\frac{8}{18}$, *R.O. Transcripts*. In a despatch of $\frac{\text{Apr. } 26}{\text{May } 6}$ the ambassador speaks of Charles as being in communication with both parties.

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April 21.
The New-
castle Pro-
positions to
be sent.

An
audacious
proposal.

April 25.
More
volunteers
for Ireland
desert.

Return of
the com-
missioners.

April 27.
Their
report.

The
officers'
vindica-
tion.

Charles' touch of the King's evil, "but the Parliament's great seal might do it if there were an ordinance for it." The majority of the House of Commons were of a different mind. On April 21 it was resolved to send the Newcastle Propositions once more to the King. "The man," declared Marten audaciously, "to whom these propositions shall be sent ought rather to come to the bar himself than to be sent to any more."¹

Whatever might be Charles's answer—and there could be little doubt that it would be an evasive one—the Houses had more reason to concern themselves with the army than with the King. Other soldiers besides those who followed Kempson for a time had volunteered for Ireland, and had gone some part of the way towards a port of embarkation; but they slipped back in batches to their old comrades, many declaring, truly or falsely, that their officers 'had first made them drunk, and had then extorted from them a promise to go to Ireland when they were in that condition.' Out of 21,480 men only 2,320 were available for the Irish service.² All efforts to increase the number were unsuccessful,³ and the commissioners, baffled in their task, returned to Westminster, bringing with them Ensign Nichols as a prisoner. On April 27 they made their report to the House of Commons.

Not to be behindhand, the malcontent officers despatched seven of their number to lay before the House of Commons a vindication of their own conduct in supporting the soldiers' petition. Though this vindication was signed by 151 commissioned

¹ Letter of Intelligence, April 26, *Clarendon MSS.* 2,502.

² Letter from Saffron Walden, April 25, *Clarke Papers*, i. 16.

³ *Ib.* i. 17.

officers,¹ the Commons did not even allow it to be read in the House. After listening to the report of the commissioners, they committed Nichols² to prison, and sent for Robert Lilburne and three other officers to give an account of their conduct in drawing off soldiers from the Irish service.

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Strong
measures.

In the meanwhile the Lords, having tardily come to the conclusion that some part of the soldiers' arrears ought to be paid on disbandment, voted that six weeks' pay should be the amount offered. The Commons, though formally protesting against the breach of their privileges committed by the Lords in meddling with a grant of money, confirmed the vote.³ It remained to be seen whether so inadequate a concession would satisfy the army. There are no signs that any Presbyterian member of either House thought it insufficient. Two days later the confidence in the future which still prevailed in Parliament was increased by the news that Skippon had been prevailed on, though most unwillingly, to accept the command in Ireland.⁴

Six weeks'
arrears
voted.

April 29.
News of
Skippon's
readiness
to go to
Ireland.

The Presbyterians were destined to a rude awakening. Early in April there had been a talk in Ireton's regiment of sending the soldiers' petition to Westminster in charge of two deputies from each troop.⁵ The contempt with which the soldiers' grievances were treated now led to the adoption of this plan in a slightly different form. Eight of the ten cavalry regiments came to an understanding with one another, and each chose two representatives, to whom was at first given the name of Commissioners,

¹ *The Petition and Vindication of the Officers*, E. 385, 19.

² See p. 49.

³ *L.J.* ix. 152; *C.J.* v. 155.

⁴ *L.J.* ix. 158.

⁵ See p. 52.

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April 28.
Letters
to the
generals.

a name which was soon afterwards changed into that of Agitators, or Agents of the Army.¹ Instead of carrying the condemned petition to Westminster, the sixteen Agitators in the name of the regiments drew up identical letters addressed to the three generals, Fairfax, Cromwell, and Skippon.²

The composers of these letters for the first time answered the attack of their assailants by a counter-attack. After complaining of the delay in granting an indemnity, though their fellow-soldiers suffered 'at every assize for acts merely relating to the war,'

¹ "Careful investigation," writes Dr. Murray in *The New English Dictionary*, s. v. Agitators, "satisfies me that Agitator was the actual title, and *Adjutator* only a bad spelling of soldiers familiar with *Adjutants* and the *Adjutors* of 1642. *Adjutator* has naturally seemed more plausible to recent writers unfamiliar with this old sense of 'to agitate,' and the functions of the *Agitators* of 1647." The old sense referred to is 'To do the actual work of (the affairs of) another, to manage, or act as agent.'

The chronology of the word is as follows: At the first appearance of these representatives of the soldiers they call themselves, in signing a letter dated April 28, Commissioners; in the *Declaration of the Army* (E. 390, 26), presented to the Parliamentary Commissioners on or about May 15, it is stated that they have been chosen 'to agitate for those ends in behalf of them all,' and they are themselves styled 'Agents' of those who chose them. The noun appears in a petition to Fairfax of May 29, which is subscribed by 'your Excellency's and the Kingdom's innocent and faithful servants . . . being Agitators on behalf of the several regiments.' In the next page we have 'Adjutators,' which is thus shown to be a mere variation of spelling, though this form appears on the title-page. *Two Letters*, E. 391, 2. Adjutator, in short, occurs as soon as Agitator, but it has no meaning, whilst Agitator has, as will appear by the following quotation: "When I wrote last to you, I had been with Sir John Berkeley, one of his Majesty's Agitators, for that is now the word." N. Hobart to J. Hobart, Oct. 15, Cary's *Mem. of the Civil War*, i. 354. The verb also occurs in the sense of 'to act.' "It is our unhappiness that we are so far distant . . . from the eight regiments . . . by reason whereof timely notice cannot be given us to agitate according to our real intentions, which are to add ourselves to them entirely as one man." Letter from Sir R. Pye's regiment, May 13, *Clarke Papers*, i. 44.

² The Agitators' Letter, April 28, *L.J.* ix. 164.

they asserted that the proposal to send them to Ireland was ‘nothing else than a design to ruin and break this army in pieces; . . . otherwise, why are not those who have been made instruments in our country’s deliverance again thought worthy to be employed.’ It was therefore ‘but a mere cloak for some who have lately tasted of sovereignty, and being lifted beyond their ordinary sphere of servants, seek to become masters and degenerate into tyrants.’¹ This letter, after being read before the regiments and accepted by them, was entrusted to three Agitators, Sexby, Allen, and Shephard, to be carried to the generals in London.

On April 30 the vindication of the officers, which had been brought into the House of Commons on the 27th,² was at last allowed to be read. Before any step was taken in connection with it, the letters to the three generals were produced, and were also read.³ As might have been expected, the House was beyond measure indignant at the latter. The Presbyterian majority would indeed have changed its nature if they had condescended to ask whether their own refusal of bare justice had not had something to do with the readiness with which whole regiments applauded a criticism on the conduct of their employers. They could see nothing but sheer fanaticism at the bottom of the attack made on them. The whole army it seemed—to use the words of a report which had just been made from Saffron Walden—was ‘one Lilburne throughout, and more likely to give than to receive laws.’⁴

April 30.
The
officers’
vindica-
tion and
the
Agitators’
letter in
the House.

Indigna-
tion of the
Presby-
terians.

¹ The Agitators’ Letter, April 28, *L.J.* ix. 164.

² See p. 58.

³ *L.J.* ix. 163; *C.J.* v. 158; Whitacre’s Diary, *Add. MSS.* 31, 116, fol. 308b.

⁴ Letter of Intelligence, April 26, *Clarendon MSS.* 2,502.

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Three
Agitators
at the bar.

For the present all that could be done was to call to the bar the Agitators who had brought the letters. The three men had convenient memories. They were quite unable to recall the circumstances under which they had been signed. They were then asked to explain the paragraph relating to the members who had tasted sovereignty. The letters, they curtly replied, were the work of the regiments, and it was for the regiments to explain their meaning.¹

The
House
sobered.

The House, in short, had to deal, not with the three men before it, but with eight regiments—perhaps with the whole army—and this knowledge had a sobering effect. Instead of meting out punishment to offenders, the Commons directed its military members, Skippon, Cromwell, Ireton, and Fleetwood, to go down to their charges in the army, and employ their endeavours to quiet all distempers. They were to inform the soldiers that an Ordinance for their indemnity would be brought in at once; that a considerable portion of their arrears would be paid immediately; and that for the remainder there should be signed debentures, payable in cash as soon as the necessities of the State would allow.²

Cromwell,
Ireton,
and
Skippon
to go to
the army.

A humili-
ating
capitula-
tion.

It was a humiliating capitulation, but humiliating as it was, there was no other course by which disaster could be avoided. It was perhaps still possible, if Cromwell's influence could be secured on the side of Parliamentary authority, to stave off the religious and political demands of the majority in the army by redressing the material grievances of the whole force.³

¹ Examination of the Agitators, *Clarke Papers*, i. App. B.

² *C.J.* v. 158.

³ We have an example in English history of a government taking successfully the course here suggested. When in 1797 the sailors mutinied at Spithead because their petition for the removal of material grievances had been rejected, Pitt met them by conceding all the reason-

At all events it cannot be seriously doubted that Cromwell left Westminster with the full purpose of carrying out his instructions honestly, and that he was still under the influence of those feelings which had hitherto led him to distrust the intervention of soldiers in politics.¹

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Cromwell's
intentions.

On May 7 a meeting of officers was held once more in Saffron Walden church, this time in the presence of the new military commissioners, but it soon appeared that it would be useless to consult officers alone on questions which touched the rank and file so nearly. The officers were therefore directed to collect the views of the private soldiers. By this time the whole army was thoroughly organised. After the example which had been set by the cavalry,

May 7.
A meeting
of officers.

General
election of
Agitators.

able wishes of the mutineers, and was thus strengthened to refuse the slightest concessions to the political demands of the sailors in the fleet at the Nore.

¹ The strongest evidence in such a case is the silence of a hostile witness thoroughly acquainted with the facts. Such a witness is Major Huntington, an officer of Cromwell's own regiment, in confidential communication with him, though he afterwards turned against him. In August 1648, when Huntington tried to damage Cromwell as much as possible, he drew up a narrative in which he vehemently assailed his past conduct. In dealing with this employment, however, all that Huntington could say against Cromwell was that he had declared, after reaching the army, that he and his fellow-commissioners had come in the double capacity of commissioners and soldiers, and that he acknowledged that there had 'lately been much cruelty and injustice in the Parliament.' Of any secret encouragement to the soldiers to make conditions with Parliament in favour of any political or religious object Huntington has not a word to say. He states, indeed, that Ireton drew up the Declaration of the Army, which will be shortly mentioned (p. 64), and that he had told the Agitators 'that it was then lawful and fit to deny disbanding till we had received equal and full satisfaction for our past service.' Even this, however, relates only to the material grievances which the commissioners were sent to allay, and Huntington, with all his anxiety to make out a case against Cromwell, does not attribute any similar language to him. *Sundry reasons inducing Major Huntington to lay down his Commission*, E. 458, 3.

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each troop or company elected representatives. As however, a body composed of all these representatives would be too numerous for efficient action, it was now arranged that the combined representatives of each regiment should elect two or more to whom alone the name of Agitators¹ was now given. These Agitators, when collected, could speak in the name of the whole army, and were capable of impressing, in turn, their own views upon their military constituency. In troublous times the most decided and energetic come to the front; and, little as it was intended at the time, nothing was more calculated than the existence of this elected body of Agitators to give to the army that distinctive political and religious character which it ultimately bore.

May 15.
A second
meeting of
officers.

May 16.
A Declaration
of the
Army.

On May 15, after long conferences with the Agitators, the officers had a second interview with the commissioners, and on the following day they gave in a *Declaration of the Army*, which bore the signatures of 223 commissioned officers. The Declaration opened with a narrative of the late proceedings of the soldiers, with whom the officers avowed themselves to be fully in accord. The men, they said, had resolved to send to Parliament that petition which had been so summarily condemned,² but had been dissuaded by the officers from doing so, as well as from listening to anyone attempting to induce them

¹ In *The Declaration of the Army* (E. 390, 26) we are told that the soldiers chose 'a certain number of every regiment or troop or company.' This is vague, but there is a clearer statement in *A Solemn Engagement of the Army*, p. 6 (E. 392, 9): "The soldiers . . . were forced . . . to choose out of the several troops and companies, several men, and those out of their whole numbers to choose two or more for each regiment."

² See p. 39.

to take part in politics.¹ The practical proposal made by the officers was that the vote for paying 'a considerable part' of the arrears should be made more definite. It was generally understood, as the officers declared, to mean no more than the six weeks' pay already offered;² an offer which was 'generally looked upon as very inconsiderable,' most of the horse and many of the foot having large arrears due to them for service in former armies, in addition to arrears due to them for service in the New Model.

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This very reasonable demand was followed by complaints of the imprisonment of Ensign Nichols by the former commissioners without Fairfax's concurrence; of the toleration by Parliament of calumnies uttered against the soldiers in the press and in the pulpit; and also of the thanks which had been given by the Houses to petitioners who had reviled the army. Finally, the Declaration asked that Parliament should acknowledge that the soldiers had a right to petition their general on military matters; should take into consideration the original petition which had been condemned,³ and should allow them to publish a sober vindication of their own conduct.⁴

With the spirit of this Declaration Cromwell appears to have been entirely satisfied. He and his fellow-commissioners were able to announce that the Indemnity Ordinance had already passed the Commons, and that the six weeks of arrears were to be

May 17.
Cromwell's
reply.

¹ "We perceive there have not wanted some in all quarters, upon their dissatisfaction in those things," *i.e.* their pay, &c., "ready to engage them in an implication of things of another nature, which, though not evil in themselves, yet did not concern them properly as soldiers." The authors of the *Declaration*, perhaps, had their eye on such papers as *A Second Apology*, E. 385, 18.

² By the vote of April 27; see p. 59.

³ See pp. 39, 43.

⁴ *Declaration of the Army*, E. 390, 26.

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extended to eight.¹ “Truly, gentlemen,” said Cromwell to the officers, “it will be very fit for you to have a very great care in the making the best use and improvement that you can both of the votes and of this that hath been last told you, and of the interest which all of you or any of you may have in your several respective regiments—namely, to work in them a good opinion of that authority that is over both us and them. If that authority falls to nothing, nothing can follow but confusion.”²

Language
of Crom-
well and
Ireton.

So far Cromwell had prevailed by his strong sympathy with the soldiers and his equally strong desire to hinder them from bringing the kingdom into anarchy through their efforts to obtain justice for themselves. Ireton, indeed, had in private told the soldiers that till justice had been obtained they ought not to disband, but there is no reason to believe that Cromwell used any words of the kind.³

The Com-
missioners
give
account of
their pro-
ceedings.

The work of the commissioners was now accomplished. In a joint letter to the Speaker they contented themselves with painting the situation in general terms. “We must acknowledge,” they wrote, “we found the army under a deep sense of some sufferings, and the common soldiers much unsettled.” They therefore suggested that it would be well for Parliament to recall them in order that they might give a verbal report of all that they had learnt.⁴ There could be little doubt that Cromwell would plead energetically for justice to the soldiers; but all that he could say would be of little avail unless the Presbyterians at Westminster were prepared to meet the Declaration in a spirit of conciliation.

Will the
Presby-
terians
accept the
Declara-
tion?

¹ The Commissioners to Lenthall, May 17, Cary's *Memorials of the Civil War*, i. 214.

² *Clarke Papers*, i. 72.

³ See p. 63, note 1.

⁴ The Commissioners to Lenthall, May 17, Cary's *Mem. of the War*, i. 214.

CHAPTER XLIX.

THE ABDUCTION OF THE KING.

THE action of the commissioners had at least so far cleared the situation that it could no longer be doubted that Parliament must either redress the material grievances of the army or be prepared to fight it; and for some time there had been signs that the Presbyterians were ready to venture on the latter and more desperate course. In March the City had asked that a new Militia Committee of its own choosing might be substituted for the existing Committee which had been named by Parliament, and which contained many Independents.¹ Though an Ordinance authorising the City to choose a new Committee was passed by the Lords, it had received no support from the Commons till the dispute with the army opened the eyes of the Presbyterian leaders to the advantage of having the military force of the City entirely at the disposal of their own party. The Lords' Ordinance was therefore at last taken in hand, and on April 16 it passed both Houses.² The Common Council, taking advantage of the permission thus obtained, at once nominated a new committee, consisting exclusively of Presbyterians. On May 4, in Cromwell's absence, another Ordinance was passed giving Parliamentary authority to the nominees of the City.³

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May 17.
The
situation
cleared.A new
Militia
Committee
demanded
by the
City.April 16.
Ordinance
giving the
City power
to appoint
a Militia
Commit-
tee.

No immediate objection was raised on any side

¹ *L.J.* ix. 82.² *Ib.* ix. 143.³ *Ib.* ix. 143.

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1647

The militia
purged of
Independents.

A Parlia-
mentary
army.

Ill-feeling
in the
army.

The
Scottish
army
under
David
Leslie.

Huntly's
strong-
holds
taken.

Scottish
jealousy
of the
English
army.

to intrusting the municipal authority with the control of the City trained bands, but the manner in which the new committee exercised its powers soon gave offence. Every officer tainted with Independency was excluded from the service.¹ It looked as if the Presbyterians were to have an army of their own. The London militia, which numbered 18,000 men,² was not to be despised as a military force, even if its quality was not equal to that of the tried warriors who had served under Fairfax and Cromwell.

This remodelling of the City force was certain to rouse an angry spirit in the army, and the difficulty of keeping this anger within bounds would be much increased if it once came to be known that the Presbyterians were seeking for military support in Scotland as well as in the City. In Scotland, too, there was a new-model army formed out of the larger force which had returned from England in February, and this army, consisting of 5,000 foot and 1,200 horse, had been placed under David Leslie, who was a warm partisan of Argyle and the extreme Presbyterians. In the course of the spring David Leslie had captured all Huntly's strongholds,³ and as soon as he had accomplished the not very difficult task of crushing Alaster Macdonald in the West, he and the force which he commanded would be available for a campaign in England.

For the present there was room for diplomacy, and Argyle, reflecting the sentiments of every Scottish politician, watched with jealousy the growth of a strong military power in England.⁴ In April, with

¹ *Perfect Occurrences*, E. 390, 7.

² List of the London Trained Bands, communicated by the Hon. H. A. Dillon, *Archæologia*, vol. iii.

³ *Patrick Gordon*, 199.

⁴ Much information on the state of Scottish parties at this time is to be derived from the despatches of Montreuil, of which there are

his approval, the Committee of Estates despatched to London four commissioners, of whom Lauderdale was the ablest. Though these commissioners were ostensibly to support the English Parliament in urging Charles to accept the Propositions of Newcastle, Lauderdale brought with him secret instructions to be content if the King would accept the four propositions forwarded to him through Bellièvre and the Queen at the end of January.¹ Lauderdale was accompanied by the Earl of Dunfermline, who had been won over by Charles at Newcastle, and had been made a gentleman of the bedchamber in order to secure for him the right of approaching the King at any moment.² He was now selected to go with the commissioners in order that by availing himself of this right he might open a communication between Charles and the Scots. On May 13 the English Parliament gave him a somewhat reluctant permission to visit the King at Holmby.³

Charles, who had not been left in ignorance of this movement in his favour, had already on May 12 sent to the Houses a letter which was, to all appearance, a reply to the Newcastle Propositions, though in reality based on the lines of the scheme suggested in January.⁴ This scheme Charles accepted with some modifications. Presbyterianism was to be granted for

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April.
Commis-
sioners to
England.Lauder-
dale's
secret in-
structions.He is
accom-
panied by
Dunferm-
line,May 13.
who is
allowed to
go to the
King.May 12.
Charles
replies to
the Pro-
positions.

copies amongst the *Carte MSS.* (vol. lxxxiii.). Montreuil was, after the King's removal from Newcastle, transferred to Edinburgh, and remained there till the Scottish invasion of England in 1648. His opinion of Scottish statesmen must, however, be received with caution, as he is too prone to ascribe to them far-reaching intrigues which probably originated in his own lively imagination.

¹ See p. 26.

² The date of his appointment was Jan. 13. *Dunfermline Papers* in the possession of Dr. Milne of Fyvie.

³ *C.J.* v. 170.

⁴ Bellièvre to Mazarin, May 17, *R.O. Transcripts.*

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three years, during which there were to be consultations with the Westminster Assembly, to which were to be added twenty divines of the King's choosing, with the object of arranging a permanent settlement, and the militia was to be granted for ten. Documents to which the Parliamentary Great Seal had been affixed were to be held valid, and satisfaction was to be given about Ireland. Finally, Charles asked to be allowed to come to Westminster as a sovereign in order that the Bills needed to give legal force to these conditions might receive the Royal assent.¹

May 18.
The King's
offer read.

Coalition
between
the Scots
and the
English
Presby-
terians in
favour of
the King.

On May 18 the King's reply was read at Westminster, and was at once accepted not only by the English Presbyterians but even by the Scottish commissioners as a fitting basis of accommodation, though more clear-sighted observers might well have doubted whether Charles's acceptance of a three years' Presbyterianism was anything more than a prelude to the restoration of Episcopacy. The real importance of the agreement was that it laid the foundations of an alliance which gave birth to a second Civil War in which Scots and Presbyterians allied themselves with English Cavaliers.

Difficulty
of conceal-
ing their
plans.

The immediate difficulty of the new coalition lay in the necessity of concealing its plans till the army had been disbanded. How unlikely it was that the army would suffer itself to be broken up before its grievances were redressed ought to have been made clear to the Houses by the letter of their own commissioners, which, written on the 17th,² reached Westminster on the 18th, the day on which the King's reply was read. The Commons at once voted that Fairfax should return to head-quarters if his health

¹ The King to the Speaker of the House of Lords, May 12, *L.J.* ix. 193. The King to Bamfield, May 16, Bamfield's *Apology*, 24.

² See p. 66.

permitted, that one or two of their commissioners should return to give an account of their employment, and that a committee should be appointed to consider the time and manner of the disbandment 'of all such forces as shall not go for Ireland.'¹

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1647
May 19.
Circular
of the
Agitators.

At these votes the Agitators took alarm. On the 19th, only three days after the presentation of the conciliatory *Declaration of the Army* to the commissioners,² they issued a circular letter to the regiments based partly on a rumour that the Houses intended to offer to the privates the whole of their arrears and to take vengeance on the officers.³ "This is now," wrote the Agitators, "the thing in hand to divide between you and them, and that is either propounding or giving you your arrears and so take you from your officers, thereby to destroy them, and then to work about their designs with you also, which will make your money to be but little useful to you. As soon as you have it, and you disbanded, you may be pressed away for Ireland or hanged in England for prosecuting the petition, or refusing to go for Ireland, which we question not but many of us shall be found guilty of, some already saying if you be but disbanded, if you will not go they will draw you along like dogs. Fellow-soldiers, the sum of all is, if you do but stand and not accept of anything nor do anything without the consent of the whole army, you will do good to yourselves, your officers, and the whole kingdom."⁴

All the ground which had been won by Cromwell was now lost. The Agitators were deeply suspicious of the Houses, and the Houses were equally sus-

Mutual
suspicion.

¹ *C.J.* v. 176.

² See p. 64.

³ Letter to the Agitators, May 18, *Clarke Papers*, i. 85.

⁴ Letter from the Agitators, May 19, *ib.* i. 87.

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May 20.
The Lords
invite the
King to
Oatlands.The army
Independ-
ents exas-
perated.March.
A Lilbur-
nian move-
ment in
London.A Lil-
burnian
petition.Grievances
alleged
in it.

picious of the Agitators. On the 20th, instead of attempting to smooth away difficulties, the Lords published to the world their good understanding with the King, by voting that he should be invited to Oatlands, in close proximity to London.¹ Though the Commons were too prudent to support the Lords in their indiscretion, enough had been done to lay bare the drift of the Presbyterian policy. The Independents in the army were stirred to exasperation, and opinions were freely expressed that the politicians who were prepared to sacrifice the liberties of the country should be called to account for their misdeeds.²

The Houses were the more anxious to be rid of an army which they believed to be pervaded with fanaticism, as they had been vehemently taken to task by a body of political fanatics, who may fairly be regarded as the disciples of John Lilburne. In March a petition had been drawn up by these men for presentation to the House of Commons, which they addressed as the 'supreme authority of the nation,' and on the 15th a copy surreptitiously obtained whilst it was in course of signature was brought to the notice of the House.

The petition itself was the work of men who committed the common mistake of persons of strong opinions, in thinking that it is merely necessary to propose reforms to obtain their general acceptance. They asked the Commons to secure themselves against 'a negative voice in any person or persons whomsoever,' in other words in the King or the House of Lords; to take off all sentences, fines, and im-

¹ *L.J.* ix. 199.² Joachimi to the States General, May 31, *Add. MSS.* 17, 677 S, fol. 454.

prisonments imposed on Commoners . . . without due
 course of law ;¹ to put an end to the administration
 of interrogatories by which accused persons might be
 forced to inculcate themselves; to ‘repeal all statutes,
 oaths and covenants’ by which ‘religious, peaceable,
 well-affected people’ were molested ‘for noncon-
 formity, or different opinion, or practice in religion ;’
 to take care ‘that no one was punished for preaching
 or publishing his opinion in religion in a peaceable
 way ;’ to dissolve monopolising trading companies ;
 to settle an easy way for deciding controversies by
 ‘reducing all laws to the nearest agreement with
 Christianity,’ and by ordering pleadings to be con-
 ducted in English so as to be generally intelligible ;
 to prescribe the duties and limit the fees of magis-
 trates ; to enact that no life should be taken without
 the testimony of two credible witnesses ; to see that
 prisoners had ‘a speedy trial,’ and be ‘neither starved
 nor their families ruined by long and lingering im-
 prisonment, and that imprisonment’ might ‘be used
 only for safe custody until time of trial, and not as a
 punishment for offences ;’ to abolish tithes and leave
 all ministers to be ‘paid only by those who volun-
 tarily choose them and contract with them for their
 labours ;’ to set free insolvent debtors, and, on the
 other hand, to hinder debtors who had wherewithal
 to pay their debts from sheltering themselves in
 prison against their creditors ; to regulate the con-
 duct of the keepers of prisons ; to provide some
 means of keeping the poor from beggary and vice ;
 and to restrain impious persons from reproaching
 the well-affected with the ignominious titles of round-
 heads, factious, seditious, and the like ; and, finally, to

¹ This was directed against the imprisonment of Lilburne by the House of Lords ; see vol. i. 503.

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1647

Vastness
of the pro-
gramme.Danger
of its
obtaining
military
support.The peti-
tion re-
ferred to
a com-
mittee.Tew and
Tulidah
im-
prisoned.

exclude no one 'of approved fidelity from bearing office of trust in the commonwealth for nonconformity.'¹

The programme was one for three centuries rather than for a single Parliament. It menaced the habits and interests of thousands who belonged to the influential classes. The lawyers, the city traders, and the clergy were all affected by it, and all these found support in the Parliamentary majority, which was necessarily hostile to sweeping reforms. There was, moreover, no democratic wave behind the petition, and but for the danger of its finding a support in the hotter spirits in the army, the House of Commons might safely have treated it with contempt. The danger of conjunction between the political fanatics of the City and the religious fanatics of the army was of sufficient weight with the Commons to induce them to refer the petition to a committee, the usual function of which was to collect evidence against unlicensed preachers. Neither Colonel Leigh, the chairman of this committee, nor the other members of it bore any good-will to the petitioners.² A certain Lambe being summoned to give evidence was attended by a crowd of well-wishers. Amongst these was Nicholas Tew, who, finding that the petition was being treated as a libel, called on those around him to sign a certificate declaring the petition to be seriously intended for presentation to Parliament. "If we cannot," said Tew, "be allowed to petition, we must take some other course." The committee at once sent him to prison, and a violent altercation between the committee and the petitioners was the result. In the end the committee ordered the room

¹ *Gold Tried in the Fire*, p. 1, E. 392, 19.

² *C.J.* v. 112.

to be cleared. Finding its orders disobeyed, one of its members, Sir Philip Stapleton, seized Major Tulidah by the throat and dragged him to the door. On March 19 the House approved of the committal of Tew, and sent Tulidah to keep him company in prison.¹

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March 19.
Approval
of the
House.

On the 20th the petitioners laid before the House of Commons their original petition together with the certificate which had been proposed by Tew, and a second petition asking that the right of petitioning Parliament might be recognised as essential to freedom. No notice was taken of this request, but on the 26th Tulidah was liberated on bail. The offence of Tew was held to be greater and he was suffered to remain in prison.²

March 20.
A second
petition.

March 26.
Tulidah
liberated.

For some weeks the names of Tew and Tulidah are of constant occurrence in the various petitions and declarations of the soldiers, who appear to have taken alarm at their treatment, as if it were a warning of the fate likely to befall themselves if they were once disbanded. In the middle of May the petitioners drew up a third petition, which, perhaps by way of bravado, they placed in the hands of Holles, their chief opponent, for presentation to the House. This time they assumed a more peremptory tone, demanding the liberation of Tew, whilst they asked for inquiry into the conduct of the committee and that restrictions might be placed on the power of committal vested in committees.³ The House was in no mood to put up with interference, which it regarded as unauthorised, and on May 20, the day on which the Lords invited the King to Oatlands, it

The
soldiers
interest
themselves
in the
affair.

May.
A third
petition.

May 20.
The
petitions
to be
burnt.

¹ *C.J.* v. 118; *Gold Tried in the Fire*, pp. 6-10, E. 392, 19.

² *Gold Tried in the Fire*, p. 6, E. 392, 19; *C.J.* v. 119, 125.

³ *Gold Tried in the Fire*, p. 9, E. 392, 19.

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ordered, without a division, that this third petition should be burnt by the hangman, and, by a majority of 94 to 86, that the original petition should also be burnt, on the ground that, being addressed to the House of Commons as the supreme authority of the nation, it called in question the existing constitution.¹

May 21.
The report
of the
commis-
sioners.

It was on the following day, May 21, that Cromwell stood up in the House to read the joint report of the commissioners to the army. That report justified the Declaration of the Army² as being more moderate than anything which would have emanated directly from the private soldiers. The interference of the officers in drawing it up had 'hitherto proved for the best,' and might 'through the goodness of God, with the wisdom of the Parliament,' be turned to a good issue.³ Speaking in his own name, Cromwell declared that the army would 'without doubt disband, but' would not by any means hear of going to Ireland. 'The greatest difficulty would be to satisfy the demands of some whom he had persuaded as much as he could possibly: but a great part of the army' would 'remit themselves entirely to be ordered by Parliament.'⁴

Cromwell
again
declares
the army
will dis-
band.

Effect of
this an-
nounce-
ment.

Cromwell's announcement, so different from what was expected at Westminster, could not fail to produce at least a temporary effect. The House directed that 'a real and visible security' should be given to the soldiers for all arrears left unpaid. An Ordinance was passed granting indemnity to soldiers for

¹ *C.J.* v. 179.

² See p. 64. It is styled a Summary in the Report.

³ Report of the commissioners, May 20, *Clarke Papers*, i. 94-99.

⁴ Letter of Intelligence, May 24, *Clarendon MSS.* 2,520. It is well to have the date at which these words were spoken. Cromwell's enemies quoted them without a date, and held them to be an audacious falsehood. The question of Cromwell's change of opinion about the disbandment will be discussed later.

things done in the war, whilst others in favour of apprentices who had joined the ranks before working out their time, and for securing all who had voluntarily enlisted from being 'pressed to serve beyond the seas' passed rapidly through the Commons, and were as rapidly accepted by the Lords. Moreover, the pay to be given on disbandment in ready-money was according to promise raised from six weeks to eight.¹

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Ordinances
favourable
to the
soldiers.

Those who negotiated with Charles always laid themselves open to unpleasant surprises, and whilst the Commons were listening to Cromwell, the Lords were giving their attention to an intercepted letter from Ashburnham to the King. In this letter Ashburnham exhorted his master to hold out. Peace, he asserted, would soon be signed between the Spaniards and the Dutch, and after that Prince William would start for England to relieve his father-in-law at the head of a foreign force, hoping to find himself supported by another army from Ireland.² Charles, indeed, had not seen this letter, but it showed what kind of news his agents abroad believed him to be likely to welcome.

An inter-
cepted
letter.

The minds of the Presbyterian leaders, however, were too fully occupied with their distrust of the army either to draw back from their understanding with Charles, or to carry out the straightforward policy in dealing with the army to which they had betaken themselves under the influence of Cromwell's pleadings. It is possible indeed that their votes in favour of the soldiers were a mere expedient to gain time. At all events, on the 23rd, they opened a discussion with Bellièvre and Lauderdale in which

The Pres-
byterians
will not be
warned.May 23.
Their ne-
gotiation
with the
Scots.¹ *C.J.* v. 181; *L.J.* ix. 201. See p. 65.² *L.J.* ix. 203.

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The King
to be
carried to
Scotland.Long
delibera-
tions.

a scheme for bringing a Scottish army into England was fully debated. They had little faith in Cromwell's assurances that the army, if fairly treated, would readily disband, and believing that the soldiers intended to get possession of the King's person, they resolved to be beforehand with them, and talked of bringing Charles to Northampton or Windsor.¹ The majority, however, appears ultimately to have declared in favour of removing him to Scotland. Colonel Graves, who commanded the guard at Holmby, was a Presbyterian, and could probably be depended on to carry out any directions that might be sent to him to this effect.²

Councils are proverbially slow in coming to a decision, and none of the Presbyterians had the promptness of resolution without which no plot is ever successful. "According to the inveterate custom of England," wrote Bellièvre some time later, "we have been deliberating for ten days without

¹ Joachimi to the States General, ^{May 23} June 7, *Add. MSS.* 17, 667 S., fol. 456.

² "I have gathered many scraps and looked as far into the clouds as I can, and the result I make to myself is this (but I have only several collections for my grounds and those not very authentic), that the Scots and a Presbyterian party here of some members, not without the counsel of the Queen or some French party, had a design of carrying the King into Scotland, and to set him in the head of an army there, and to bring him up to London, and so to quell the Independent party; but if I rightly guess, a false Presbyterian father betrayed them to his Independent son, and so the army, to prevent them, seized the King. Dunfermline is gone into France, and, as is thought, to get the Prince into Scotland, and so to play the game the better by that means." Dr. Denton to Sir R. Verney, June 14, *Verney MSS.* Denton does not, it is true, express himself positively, but he was a physician in good practice, and as such had excellent means of ascertaining the truth. What he says about Dunfermline's mission is, as will be seen, confirmed by Bellièvre, and the rest of his story fits in very well with what we know from the despatches of Joachimi and Bellièvre. The father and son referred to may be conjectured to have been the two Vanes.

coming to a conclusion. We are trying to prevent the King of England from falling into the hands of the army. . . . Of a dozen propositions—the worst of which would have been better than doing nothing—we have been unable to engage those members of Parliament who were in the design to carry any one into execution.”¹

Parliament and army in short were watching one another with deep-seated suspicion, as Parliament and King had watched one another five years before. Whether it was true or not²—and it is likely enough to have been true—that the idea of bringing the King to the army was ripening amongst the Agitators, the Presbyterians were the first to make a false move. On the 21st they had been all for conciliation. On the 25th, instead of pushing on an Ordinance giving the promised ‘real and visible security’ for the arrears,³ they resolved to proceed at once to the long-threatened disbandment. It was to commence on June 1 with the infantry.⁴ Each regiment was to be taken to a separate rendezvous, in order to hinder concerted action, and the choice between service in Ireland and instant disbandment was to be peremptorily offered to every soldier. This scheme, having been accepted by the Commons on the 25th, was on the 27th adopted by the Lords.⁵

Mutual
distrust.

May 25.
The dis-
bandment
to be
proceeded
with.

As might have been expected the Agitators at once determined to resist. One of their number, probably Sexby, wrote from London urging them to

The
Agitators
determine
to resist.

¹ Bellièvre to Mazarin, June 1³, *R.O. Transcripts*.

² That the plan of carrying off the King to the army had been suggested some weeks before there can be no doubt. See p. 52.

³ See p. 76.

⁴ Waller in his *Vindication*, 125, writes as if the soldiers ought to have been satisfied, omitting to take into account their distrust of unsecured promises of the future payment of arrears after disbandment.

⁵ *C.J.* v. 183; *L.J.* ix. 207. •

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May 27.
Ireton
expresses
the dis-
satisfac-
tion of the
soldiers.

stir up the soldiers against all inducements to go to Ireland, and to seize on the persons of those officers who were prepared to lead them thither.¹ On the 27th a letter, probably from Ireton to Cromwell, expressed in plain words the dissatisfaction of the soldiers at the smallness of the sum offered them, and at the postponement of any vindication of the army from the charges unjustly brought against them. "Truly, sir," the writer proceeds, "I am loath to express what their sense is of this; 'tis in vain to say anything on their behalf. I only dread the consequences, and desire that on all sides there may be more moderation and temper. I doubt the disobliging of so faithful an army will be repented of; provocation and exasperation makes men think of what they never intended. They are possessed as far as I can discern with this opinion, that if they be thus scornfully dealt with for their faithful services whilst the sword is in their hands, what shall their usage be when they are dissolved? I assure you that passionate and violent counsel which is given thus to provoke the army will in time be apprehended to be destructive, or my observation fails me. It shall be my endeavour to keep things as right as I can, but how long I shall be able I know not. Unless you proceed upon better principles, and more moderate terms than I observed when I was in London in the bitterness of spirit in some Parliament men, citizens, and clergy, and by what I perceive in the resolution of the soldiers to defend themselves in just things as they pretend, . . . I cannot but imagine a storm."¹

¹ Sexby (?) to the Agitators, May 25 (?), *Clarke Papers*, i. 100.

² Ireton (?) to Cromwell (?), *Clarke Papers*, i. 101. In the text the letter is dated on the 25th, but Mr. Firth shows that the date was almost certainly the 27th. If Ireton was the writer, it may be taken

The storm was already gathering. In response to Sexby's call,¹ the Agitators drew up a petition in which they complained of the order for disbandment, not merely because the soldiers' grievances were still unredressed, but also because the 'intenders, contrivers, and promoters of the destruction of the army,' had not been called to account.²

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An
Agitators'
petition.

Little hope of an understanding now remained. On the 28th the House vainly offered security for the arrears, and promised redress of grievances after the disbandment.³ On the 29th, a council of war which had been called by Fairfax recommended that a general rendezvous should be held, ostensibly as a means of keeping the soldiers under better control,⁴ but in reality to make it more easy to resist the disbandment. "A committee," wrote someone from Bury St. Edmunds, where the head-quarters now were, "is appointed . . . to come down on Tuesday next to disband the general's regiment. They may as well send them among so many bears to take away their whelps."⁵

May 28.
The
Houses
offer
security.May 29.
A council
of war.A general
rendezvous
demanded.The dis-
bandment
to be
resisted.

The army was now thoroughly out of hand. On the 31st, when the commissioners appointed by Parliament to carry out the disbandment arrived at Chelmsford to make a beginning with Fairfax's own regiment of foot, they found everything in confusion.

The
Commis-
sioners for
disband-
ment at
Chelms-
ford.

as strong evidence that neither he nor Cromwell were engaged in a scheme to stir up the soldiers to mutiny. This letter is followed (p. 103) by one from Col. White, member for Pontefract, to Fairfax, dated May 28, in which the writer says that if the army refuses to disband, there will 'follow the ruin and desolation of the Commonwealth.' He then argues that 'the Parliament being disobeyed, and the kingdom burdened with an army voted unnecessary and to be disbanded, a force must be raised to compel obedience, and, rather than fail, the Scots speedily called in.' Here is confirmation enough of Dr. Denton's story; see p. 78, note 2.

¹ See p. 79.² *Two Letters*, E. 391, 2.³ *L.J.* ix. 222.⁴ *Ib.* ix. 226; *Clarke Papers*, i. 108.⁵ *Ib.* i. 111.

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Mutiny in
Fairfax's
regiment.June 1.
An up-
roarious
review.Miscon-
duct of
some of the
soldiers.June 2.
Recall
of the
commis-
sioners.

The soldiers of one company having broken open their lieutenant's door, pointed a musket at his breast, and compelled him to surrender their colours. After this exploit they marched off towards Newmarket, the place fixed by Fairfax for the general rendezvous; and all the other companies of the regiment soon followed in their steps. On June 1 the commissioners, hearing that the mutineers were likely to halt at Braintree, sent Colonel Jackson to address them. The men, after professing their willingness to hear what he had to say, greeted him and his companions with cries of "Here come our enemies!" When Jackson proceeded to read the votes of Parliament in their hearing, a soldier shouted out the question, "What do you bringing your twopenny pamphlets to us?" The whole regiment then marched off towards Newmarket. On the way, some of the soldiers, unless the commissioners were misinformed, betook themselves to plunder. At Braintree a house was broken open, and 50*l.* carried off. It is true that the offenders were placed under arrest, but they were soon liberated by their comrades. The commissioners made the discovery, which it would have been well for those who sent them to have found out two months before, that the whole army was not yearning for spiritual liberty alone. "Many of the soldiers," they wrote, "being dealt with profess that money is the only thing they insist upon, and that four months' pay would have given satisfaction."¹ It was evidently useless for the commissioners to attempt to carry out their instructions farther, and on June 2 the Houses recalled them to Westminster.²

¹ The Commissioners for Disbandment to the Committee for Irish Affairs, May 31, Cary's *Mem. of the Civil War*, i. 219; the same to the same, June 1, *Tanner MSS.* lviii. fol. 129.

² *L.J.* ix. 230.

Amongst the outlying regiments was one which had been despatched to Portsmouth with a view to its embarkation for the reduction of Jersey. Its colonel, Thomas Rainsborough, was a son of the Rainsborough who, in the reign of James I., had been employed against the pirates of Sallee.¹ At one time he had served as a sailor, but soon after the outbreak of the Civil War had transferred himself to the land service of the Parliament, and had recently been elected a member of the House of Commons. On the 28th news reached Westminster that his regiment had mutinied in Hampshire and was marching towards Oxford. In fact the regiment was acting in accordance with orders from the Agitators, who were aware that Parliament wished to deprive the army of all military coherence by seizing its train of artillery, the greater part of which was stored at Oxford. On the 28th the House, hearing of the mutiny, sent Rainsborough off to quell it. On the 30th he found his men at Abingdon, and succeeded, though not without difficulty, in maintaining his authority and in hindering the regiment from pursuing its march to Oxford.²

On May 31, probably encouraged by their knowledge of Rainsborough's arrival at Abingdon, the Committee for Irish Affairs gave orders for the transportation of the train of artillery to London. It was certain that the Agitators would do their utmost to hinder its removal, and that, unless a strong hand intervened to restore discipline, military anarchy would be the result. Fairfax had been drawn both ways, on the one hand by his sympathy with his men who were suffering from undoubted grievances, and on

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Rains-
borough
and his
regiment.

Mutiny
of the
regiment.

May 28.

May 30.
Rains-
borough at
Abingdon.

May 31.
Order to
seize the
artillery at
Oxford.

Fairfax
and
Cromwell.

¹ See *Hist. of Engl.* 1603-1642, viii. 270.

² *Clarke Papers*, 105, note e; Rainsborough to Lenthall, June 1. *Archæol.* xlv. 22.

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Cromwell
face to
face with
military
anarchy,

the other hand by his reverence for Parliamentary authority. Up to this time Cromwell, actuated by the same motives, had refrained from action. His appearance at head-quarters as a commissioner had been a last attempt to reconcile two contradictory policies, and to secure the disbandment of the army on fair terms. The vote of May 25 for immediate disbandment had flung his mediation to the winds, and he found himself face to face with military anarchy as the only alternative to injustice.

and with a
threatened
foreign
invasion.

Whether the course taken by Parliament in dealing with the army would alone have been sufficient to change Cromwell's attitude it is impossible to say. There is every probability that his strongest motive for abandoning his professions of obedience to Parliament was to be found in another quarter. Great as was Cromwell's dread of military anarchy, he dreaded still more a renewal of the war, especially if it was to involve the invasion of England by a Scottish army. Towards the end of May, at the very time when the London militia was being reorganised and the army threatened with the loss of its artillery, Cromwell learnt that the leading Presbyterians were negotiating with the French ambassadors and the Scottish commissioners for a Scottish intervention in England, and for carrying off the King from Holmby.¹ There is no need to seek further for motives to explain his abandonment of the position which he had maintained for the last three months in spite of all temptation.

To meet these designs it was not enough to

¹ See p. 78, note 2. We may be sure that if Vane knew the secret Cromwell knew it too. The betrayal of the plan for a Scottish invasion is corroborated by Joyce's narrative (*Rushw.* vi. 517), where it is said that one Scotch lord had been sent to France, and another to Scotland, 'and all this to bring another army into England.'

maintain a hold on the artillery. The immediate source of danger lay in the intention of the Presbyterians to possess themselves of the person of the King. As far as can be gathered from obscure hints which are all that have been handed down, a counter-move had for some days been projected by the Agitators.¹ There is, in fact, reason to believe that a certain Cornet Joyce, who had formerly been a tailor, had been directed by them to lead a picked body of horse to Oxford, and to take measures for the security of the artillery there. Possibly he had also orders to proceed to Holmby and to ward off any attempt to carry away the King.

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Danger of
a Presby-
terian
seizure of
the King.

If this plan was discussed amongst the Agitators, it must have reached the ears of Cromwell. Though he had hitherto refused to commit himself to the adoption of their projects, he led no isolated life, and he had given them every reason to treat him with confidence. With the knowledge that he had recently acquired, he could no longer regard the situation as he had hitherto done. To keep England out of the hands of the Scots must have seemed to him a purely defensive measure. Yet, though it was no longer possible or even desirable to suffer the disbandment of the army, it was still both possible and desirable that a stop should be put to the

Cromwell
and the
Agitators.

¹ In a letter of the 29th (*Clarke Papers*, i. 112) we are told that 'Oxford, where our magazine is, we have well secured. I wish things at Holmby were as secure.' A passage from another letter, probably from Sexby, on the 28th, seems to point to the employment of someone who was to be sent at least to Oxford if not farther. "Let two horsemen go presently to Colonel Rainsborough to Oxford, and be very careful you be not overwitted. Now break the neck of this design, and you will do it well, and you must now do to make a bolt or a shot, and not to dally, but a good party of horse of 1,000, and to have spies with them before to bring you intelligence, and to quarter your horse overnight, and to march in the night." *Ib.* 106.

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A meeting
at Crom-
well's
house.

military disorganisation now setting in, and that the irregular activities of the soldiers should be directed to the establishment of order on some new basis.

Accordingly, on May 31, the day on which the order of the Presbyterian Committee for Irish Affairs for seizing the artillery at Oxford left London, a meeting was held at Cromwell's house in Drury Lane, at which Joyce received instructions from Cromwell to carry out the double mission with which, in all probability, he had already been entrusted by the Agitators. The official sanction of the Lieutenant-General was thus given to what had hitherto been merely a disorderly and mutinous suggestion.¹ Joyce

¹ Our knowledge of these proceedings comes from two witnesses: the first, John Harris, a printer who subsequently printed pamphlets for the army at Oxford and London, and afterwards both printed and wrote pamphlets in the interests of the levellers. In one of those written by himself under the pseudonym of 'Sirrahiho,' issued on Dec. 8, 1647, he attacked Cromwell, having had through his communications with the soldiers good opportunities of knowing the truth, whilst he had a strong desire to say everything to Cromwell's disadvantage. The title of this pamphlet was *The Grand Design* (E. 419, 5), the substance of which is incorporated in *Holles's Memoirs*, which cannot therefore be here regarded as an original authority. "The army and council therefore," writes Harris, "did agree and enter into an engagement . . . to endeavour and employ all their force to break and prevent that design of raising another army, and to defend, and to maintain and vindicate the liberties and native birthrights of all the free Commons of England. . . . In pursuance whereof it was by some persons at L.-Gen. Cromwell's, he himself being present upon Monday at night before Whitsunday, 1647," i.e. May 31, "resolved that forasmuch as it was probable that the said Holles and his party had a determination privately to remove the King to some place of strength, or else to set him at the head of another army, that therefore Cornet Joyce should with as much speed and secrecy as might be, repair to Oxford, to give instructions for the securing the garrison, magazine, and train therein from the said party then endeavouring to get the same, and then forthwith to gather such a party of horse as he could conveniently get to his assistance, and either secure the person of the King from being removed by any other, or, if occasion were, to remove him to some place of better security for the prevention of the design of the aforesaid pretended traitorous party, which was accordingly done, both with

was first to betake himself to Oxford to take measures for the security of the military stores, and then, placing himself at the head of a body of 500 horse, furnished out of several regiments, he was to ride to Holmby and to secure the person of the King against

the knowledge and approbation of L.-Gen. Cromwell, though he afterwards, like a subtle fox, would not be pleased to take notice of it."

The second witness is Major Huntington, also a witness with intimate knowledge of Cromwell's proceedings, and, when his evidence was given, bitterly hostile to him. In his *Sundry Reasons*, laid before the House of Lords on August 2, 1648, he mentions a letter written by Joyce to Fairfax shortly after the seizure of the King. "The General," he proceeds, "being troubled thereat, told Commissary General Ireton that he did not like it, demanding who gave those orders. He replied that he gave orders only for securing the King there, and not for taking him away from thence. Lieut.-Gen. Cromwell, coming then from London, said that if this had not been done, the King would have been fetched away by order of Parliament, or else Col. Graves, by the advice of the Commissioners, would have carried him to London, throwing themselves upon the favour of the Parliament for that service. The same day Cornet Joyce being told that the General was displeased with him for bringing the King from Holmby; he answered that Lieut.-Gen. Cromwell gave him orders in London to do what he had done, both there and in Oxford."

The two stories, it will be seen, corroborate one another. Harris knows only what passed in Drury Lane, Huntington only what passed at Newmarket. There is further evidence that the plan did not originate with Cromwell. In *A Back Blow to Major Huntington*, E. 461, 34, Huntington is charged with being active in promoting the scheme before either Cromwell or Ireton knew of it. "For the King's remove by Cornet Joyce," the author tells us, "those private instructions he," *i.e.* Huntington, "gave to some troopers can witness how far he was engaged in it, before they knew it." The only question arising from the extracts given above, is whether Cromwell ordered Joyce simply to secure the King, or also to carry him off if necessary. I suspect that Harris's account is correct on this point; namely, that Cromwell's main instruction was to secure the King from being carried off, but that he also said something about removing him to a place of greater security if a rescue were attempted with any probability of success. This would account both for Joyce's persistence in alleging that he had only obeyed orders, and for Cromwell's refusal to accept Joyce's action as emanating from himself, on the ground that there was no immediate danger of a forcible rescue whilst Joyce was at Holmby. On the other hand, Mr. Firth suggests to me that Harris may have derived his information from Joyce, and that it is thus tainted at its source.

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any attempt to carry him off in order to place him at the head either of a new Presbyterian army in England or of a Scottish invading force. It is moreover possible that Joyce was also instructed by Cromwell to carry Charles to some place of greater security in case of any attempt being made to rescue him.

June 1.
Joyce at
Oxford.

When, on June 1, Joyce reached Oxford, he found the disposition of the garrison all that could be desired. Not only did the soldiers refuse to part with the artillery entrusted to their care,¹ but when on the following day orders arrived from the committee for disbandment that 3,500*l.* which had been brought down to pay them off should be sent back to London, they resolutely refused to part with the money. Gathering in the High Street, in front of All Souls' College where the treasure was stored, they beat off a party of dragoons which attempted to reclaim it.²

June 2.
Seizure of
money
by the
garrison.

Joyce
goes on
towards
Holmby,

and finds
the King.

By this time Joyce was far on his way to Holmby at the head of some 500 horse,³ which had joined him from various regiments. Towards the evening of the 2nd he found Charles in a bowling-green near Holmby, and afterwards followed him to Althorp, whither the King betook himself in the company of Dunfermline and Colonel Graves, the commander of the garrison of Holmby House. Joyce, being in advance of his main body, was, however, accompanied by too small a party to do more than watch the movements of Graves, who, as he knew, was a warm adherent of the Presbyterian party. By ten at night, long after Charles had ridden off from Althorp,

¹ Waller's *Vindication*, 136.

² Wood's *Annals of the University*, ii. 508; see *Clarke Papers*, i. 119.

³ This is the number given by Joyce himself. *Ib.* i. 119.

Joyce collected his whole force about two miles from Holmby.¹

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The little garrison of Holmby consisted at this time of no more than fifty or sixty men² who had already been gained over by the Agitators.³ Graves, therefore, prudently fled as soon as he learnt his danger. In the early morning Joyce's followers surrounded the house. No resistance was made, but the back door was thrown open, and, in an instant, the soldiers on both sides flung themselves into one another's arms. The Parliamentary commissioners demanded of Joyce the reason of his intrusion. He had come, he stated, quietly, 'with authority from the soldiers to seize Colonel Graves that he might be tried before a council of war,' in order to prevent the execution of a plot 'to convey the King to London without directions of the Parliament.' Being asked to put his statement into writing, he handed in a paper in which he reiterated his belief that the soldiers were 'endeavouring to prevent a second war discovered by the design of some men privately to take away the King, to the end he might side with that intended army to be raised, which, if effected, would be to the utter undoing of the kingdom.'⁴

Flight of
Graves.

June 3.
Joyce
effects an
entry,

and ex-
plains that
he was
ordered to
seize
Graves,

who was
in league
with the
promoters
of a second
war.

During the greater part of the day Joyce kept quiet, seemingly content with watching the King and preventing his flight. There is, indeed, reason to believe that on the 2nd, the day on which Joyce was still on the march, Dunfermline had laid before

Joyce
keeps quiet
all day.

¹ A True and Impartial Narrative, *Rushw.* vi. 513. This was no doubt, as Prof. Masson has pointed out, Joyce's own account of the affair. See also Montague to Manchester, June 3, *L.J.* ix. 237.

² *L.J.* ix. 235.

³ *Clarke Papers*, i. 113.

⁴ True and Impartial Narrative, *Rushw.* vi. 513. This language confirms the accuracy of Dr. Denton's story, see p. 78, note 2.

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Charles, on behalf of the English Presbyterians, a recommendation that he should ask the commissioners to connive at his escape, and that Charles, having made the request, had been thwarted by the refusal of two of them to give their consent without an express order from Parliament.¹

Suspicious
of Joyce's
soldiers.

It is improbable than any word of this project reached Joyce's ears; yet, as the day wore on, the suspicions of his men were aroused. A few soldiers of the garrison who had attached themselves to Graves were heard to say that 'they would fetch a party,' and as it was known that some soldiers who had volunteered for Ireland were in the neighbourhood, the idea spread that Graves would return with them to rescue the King. During the afternoon there was much discussion amongst the new-comers, and in the end they resolved that Charles must be removed to a place of greater security. At ten at night they despatched Joyce to the commissioners with a request that he might be allowed to speak to the King himself. For half an hour the commissioners held him off; but he was not to be gainsaid, and made his way to the room in which Charles was, by that time, asleep. The attendants attempted to bar his passage, till Charles, roused by the noise of the dispute, commanded them to admit him.

Joyce
forces his
way into
the King's
chamber,

Joyce, once in Charles's presence, was all civility. He had come, he said, for the good of his Majesty

¹ The authority for this statement is a letter from the King, printed in Bamfield's *Apology*, 25. Bamfield's authority is usually thought to be questionable, and the letter is dated June 4—an impossible date. It has, however, all the appearance of being genuine, and if we suppose June 4 to be a misprint for June 2, there would be everything in favour of its acceptance. Bamfield's narrative seems to place it on the 3rd, which can hardly be right, as in that case it would have contained some notice of Joyce's arrival and the flight of Graves.

and the kingdom. He then asked Charles to accompany him to some other place. After considerable hesitation Charles showed signs of giving way. Would Joyce, he asked, promise three things—to do no harm to his person, to force him to nothing against his conscience, and to allow his servants to accompany him? These questions having been answered in the affirmative, Charles promised to leave Holmby in the morning on condition that the soldiers confirmed the assurances of their commander. On this Joyce quitted the room, and Charles was left to find what rest he could.¹ Voluntarily or involuntarily—it is impossible to say which—Charles had given his word. He did not so love either the army or the Presbyterians as to care much in whose custody he was, and was always well pleased when anything occurred—to use his own language—to set his opponents by the ears.

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and obtains
his promise
to accom-
pany him.

At six in the morning of the 4th, Charles, according to promise, stepped out on the lawn in front of the house, where he found himself face to face with Joyce, behind whom were the troopers drawn up in ordered ranks. At his demand the men at once shouted their adhesion to the promises given by their commander. The King then turned inquiringly to Joyce. “What commission,” he asked, “have you to secure my person?” Joyce tried hard to evade the question, but Charles fixed him to the point. “Have you nothing,” he said, “in writing from Sir Thomas Fairfax, your general, to do what you do?” Again Joyce attempted to avoid giving a direct

June 4.
Joyce
shows his
commis-
sion.

¹ True and Impartial Narrative, *Rushw.* vi. 513; compare Herbert's *Memoirs*, 20. Where the two authorities differ, I have preferred the narrative in Rushworth, which is Joyce's own, to a story told many years after the events, especially as Herbert is demonstrably loose about facts.

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answer, but Charles was not to be put off. "I pray you, Mr. Joyce," he again demanded, "deal ingenuously with me, and tell me what commission you have." "Here," replied Joyce, in desperation, "is my commission." "Where?" said Charles, puzzled for the time. Then Joyce turned in his saddle and pointed to the disciplined ranks of the soldiers who had fought at Naseby. "It is behind me," was all the explanation he had to give. Charles could no longer misunderstand him. "It is as fair a commission," he said—doubtless with a smile—"and as well written as I have seen a commission written in my life: a company of hardsome, proper gentlemen as I have seen a great while."

Charles
leaves
Holmby.

After some further conversation, Charles asked Joyce whither he was to accompany him. To Oxford, replied Joyce. Charles thought the air of Oxford unhealthy, on which Joyce suggested Cambridge. Charles answered that he preferred Newmarket, and it was at once arranged that to Newmarket he was to go. After a formal protest from the Parliamentary commissioners, Charles went into the house to prepare for his journey, and, before the morning was far advanced, was on his way, under Joyce's escort, to the place which he had selected.¹

¹ True and Impartial Narrative, *Rushw.* vi. 513. In addition to the evidence given at p. 86, note 1, to establish the complicity between Cromwell and Joyce may be added a story which appears in its most authentic form in Whitacre's Diary (*Add. MSS.* 31, 116, fol. 312b), under the date of June 4: "Also the House was informed by Mr. Holles of a letter was come to his hands written from Holmby by Cornet Joyce, with direction that it should be delivered to Lieut.-Gen. Cromwell, or in his absence to Sir Arthur Hazlerigg or Colonel Fleetwood, whereby Mr. Holles would have inferred that those three gentlemen held correspondence with that cornet, and so had intelligence of that party's carrying away the King and the commissioners from Holmby. But Sir Arthur Hazlerigg denied any knowledge he had thereof, and the names of none of those gentlemen did appear upon the super-

The abduction of the King was the answer to the Presbyterian attempt to raise a force to overpower the army and to break it up in concert with the Scots. That the dispute between Parliament and army should

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Result of
the dispute
between
the army
and Parlia-
ment.

scription of that letter; so there was no further proceeding upon it at that time."

There can hardly be any doubt that Mr. Firth is right in supposing that the letter in question is the one now printed in the *Clarke Papers*, i. 118: "Sir,—We have secured the King. Graves is run away; he got out about one o'clock in the morning, and so went his way. It is suspected he has gone to London; you may imagine what he will do there. You must hasten an answer to us, and let us know what we shall do. We are resolved to obey no orders but the General's. We shall follow the Commissioners' directions while we are here if just in our eyes. I humbly entreat you to consider what is done, and act accordingly with all the haste you can. We shall not rest night nor day till we hear from you." This letter, which is dated June 4, evidently by mistake for June 3, completes the evidence in favour of the view that Cromwell sent Joyce not to remove the King, but merely to secure him from a Presbyterian attempt to carry him off. That Joyce took no steps even to suggest a removal during the whole of the 3rd till ten at night is sufficient proof, and there is certainly no hint in the letter of any intention at the time when it was written to move the King from Holmby. According to Joyce's own story, given above, the removal was the result of suspicion of a rescue entertained by the soldiers. Joyce's suggestion of Oxford as the place to which Charles was to be taken looks as if he thought rather of placing him in security than of bringing him to the army, and so falls in with Harris's story, that Cromwell ordered Joyce either to 'secure the person of the King from being removed by any other; or, if occasion were, to remove him to some place of better security for the prevention of the design of the aforesaid . . . party' (see p. 86, note 1). It may, I think, be gathered from the complete silence of any contemporary writer that no attempt whatever was made to rescue Charles, and Cromwell may very well have found fault with Joyce for doing that which he was only conditionally ordered to do, and that too when the condition did not exist. The idea of bringing the King to the army had emanated from the soldiers (see p. 52), and Joyce's action would appear to Cromwell as having been done in obedience to the wishes of the Agitators rather than to his own directions, and he might thus have fairly joined in the declaration made by the general officers to the King that 'he was removed from Holmby without their privity, knowledge, or consent,' even if he had suggested the removal conditionally upon an event taking place which, in fact, did not occur. Newsletter, June 7, *Clarke Papers*, i. 125.

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The case
of the
Presby-
terians.

have come to such a pitch was the result of Presbyterian bungling in the early stages of the conflict. When the army had been once estranged, mutual distrust rose so high that the supporters of Parliamentary authority easily convinced themselves that it was better to accept the aid of the Scots than to allow English opinion to be crushed even by an English army. "It's now come to this," Sir Walter Erle had been heard to say of the soldiers, "that they must sink us, or we sink them."¹ The real weakness of the Presbyterians was that they had neither a policy which would conciliate nor a leader in whom they could repose confidence. They could not uphold civilian against military organisation without replacing the King in at least some part of his old authority, and the King was prepared to outwit them as soon as he regained power. Charles was an ally who never failed to ruin any man or party that trusted in him.

¹ *Rushw.* vi. 515.

CHAPTER L.

THE MANIFESTOES OF THE ARMY.

ON June 2, the day on which Joyce was riding towards Holmby, the framers of the three Lilburnian petitions, the last of which had been burnt by the Commons,¹ laid before the House a fourth petition, couched in more violent language than was to be found in the other three. It asked, as the Agitators had asked not long before,² that the leaders of the majority might be called to account; that a committee might be appointed to dismiss untrustworthy officials; that the grievances of the soldiers might be heard and redressed; and that the old City Militia Committee³ might be restored.⁴

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June 2.
A fourth
Lilburnian
petition.

The Presbyterian majority was by this time somewhat cowed. Though nothing was yet known at Westminster of Joyce's movements, it was at least suspected that trouble was impending, and the manifest understanding between the petitioners and the Agitators was not calculated to allay the prevailing sense of danger. Consequently the House did not venture to burn the fourth petition as it had burnt the third, and only by a majority of 128 to 112 voted that its immediate consideration should be postponed.⁵

An answer
postponed.

The House was perhaps the more irresolute as old

Disbanded
soldiers.

¹ See pp. 75, 76.

² See p. 81.

³ See p. 67.

⁴ *Gold Tried in the Fire*, p. 11, E. 392, 19.

⁵ *C.J.* v. 195.

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soldiers of the armies disbanded when the New Model was formed in 1645 had been crowding into London, to press their claims. On the morning of the 2nd some of them posted up on the door of the House of Commons, a reminder to

“ All gentlemen commoners that enter therein
To do justice to all men ; who will then begin
To pay all those that have for you fought :
If long you delay, sure all will be naught.”

These lines were followed by a summons to ‘all gentlemen soldiers that are justly behind in their arrears’ to meet in the churchyard of Westminster Abbey on the following day.¹

June 3.
Resolu-
tions
against
bribery,

and for
meeting
arrears.

News from
Holmby,

and from
Chelms-
ford.

Steps
taken in
the House.

Assailed by these threats, the House awoke to the necessity of regaining confidence. On the 3rd it re-appointed a committee which had been instructed to receive complaints against members or their servants charged with bribery. It also passed resolutions to expedite the taking of soldiers’ accounts, and to find a security for the eventual payment of arrears. Scarcely had this been done when the House was startled by news that Joyce’s party had arrived in the neighbourhood of Holmby on the preceding evening, and that one of his men had been heard to say that their design was to carry off the King.² The reception of this news was followed by the reading of a letter from the commissioners for disbandment, announcing their complete failure at Chelmsford.³

Under this pressure the Presbyterian majority took a step which three months before might have averted disaster. They moved that ‘the considera-

¹ *MS. E.* 390, 14.

² *L.J.* ix. 232. The time of the reception of the message is not given in the *Commons Journal*, and is only indicated by the order dismissing Harris, the bearer of the message.

³ *C.J.* v. 196. See p. 82.

tion of money for the common soldiers, be proceeded with in the first place,' and this resolution they carried by 154 to 123. Full arrears, it was agreed, and no beggarly instalment of six or eight weeks, should be given to every soldier. As a counter-stroke the Independents asked that the Declaration of March 30,¹ in which those soldiers who held firmly by their first petition of grievances were qualified as 'enemies of the State,' should be expunged from the journals. The Presbyterians resisted, keeping up the debate till two in the morning of the 4th, when in a House already thinned and weary the Independents carried their point by a majority of 96 to 79.²

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A move of
the Inde-
pendents.

June 4.
The
Declara-
tion
expunged.

News that
Joyce has
occupied
Holmby.

Measures
of the
Commons.

When after a brief rest the House met again, it was to hear that Holmby was actually occupied by Joyce. It was one more reason for giving tardy satisfaction to the material grievances of the soldiers, and the House resolved to reconsider the Ordinance of Indemnity,³ and to render it more complete. On the other hand, in order to win over a body of men who might be useful if the army still held out, a resolution was adopted for satisfying the disbanded soldiers of the old armies who had lately been clamouring for their arrears.⁴ On the 5th it was known at Westminster that Charles was actually on his way to Newmarket, and the Houses, making a virtue of necessity, directed Fairfax to appoint for the 9th a general rendezvous on Newmarket Heath, when the votes which Parliament had recently passed in favour of the soldiers might be laid before them.⁵

June 5.
Fairfax to
gain the
army.

¹ The Declaration is in the motion called the Declaration of March 29. It passed the Lords on the 30th, but the date on which it passed the Commons was the 29th. See p. 43.

² *C.J.* v. 197; Whitacre's Diary, *Add. MSS.* 31, 116 fol. 311b.

³ See p. 76.

⁴ *C.J.* v. 198.

⁵ The Houses to Fairfax, June 5, *L.J.* ix. 241.

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Dunfermline's
message
from the
King.

In the afternoon Dunfermline appeared, bearing a message in which the King stated that he had left Holmby against his will, and that he expected Parliament to preserve its own honour and the established laws of the land.¹ Charles was evidently anxious to hinder a good understanding between Parliament and army by every means in his power.

June 6.
The Scots
remon-
strate.

What backing the Scots could give to the English Presbyterians was now given. On the 6th, Lauderdale and his fellow-commissioners presented a strong remonstrance against the abduction of the King, and called on Parliament to bring Charles up to the neighbourhood of London. On this the Lords reminded the Commons of the vote sent down to them some days before for bringing the King to Oatlands.² The Commons, less rash than the other House, contented themselves with writing to Fairfax to send him back to Holmby.³

June 7.
Proposals
of the
Houses.June 6.
Attitude of
the Pres-
byterians.

As far as the Presbyterian leaders were concerned, the conciliatory votes of Parliament were a mere blind. On the 6th Massey, on whose military support they were able to count, rode through the City, calling on the citizens to defend themselves against the madmen of the army, whose aim was the beheading of the best men in the Parliament and the City.⁴ The Presbyterians in combination with the Scottish commissioners had already despatched Dunfermline across the Channel. When he arrived in France he was to urge Henrietta Maria to send the Prince of Wales to Scotland in order that he might head the projected army of invasion,⁵ and to assure the Queen that as

Dunfermline sent
to France.¹ *L.J.* ix. 242.² *Ib.* ix. 243, 244.³ *C.J.* v. 201.⁴ Letter of Intelligence, June 17, *Clarendon MSS.* 2,528.⁵ Montreuil, who had been at Edinburgh since the beginning of February, wrote in May that this plan had already been adopted. Montreuil to Brienne, ^{May 29} June 8, *Carte MSS.* lxxxiii. fol. 176.

soon as her son had crossed the Border every Presbyterian in England would join him in arms.¹ Cromwell's assertion that the Presbyterians were prepared to plunge England into a fresh war rather than miss their aim needs no farther justification.

The Presbyterians, on the other hand, believed, without any real foundation, that the army leaders had plotted a mutiny from the very beginning of the troubles with the soldiers. On June 3, when the first news of Joyce's march reached Westminster, they instinctively picked out Cromwell as the main contriver of the plot. They whispered to one another of impeaching and even of arresting him; but there was no promptitude of action in them, and Cromwell slipped out of the House before they were prepared to act. Either on that evening, or on the morning of the 4th, he left London, reaching Newmarket in the evening.² Earlier in the day the appointed rendez-

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June 3.
The Pres-
byterians
and
Cromwell.

They talk
of arresting
him.

June 4.
He rides
to New-
market.

¹ According to Bellièvre, Dunfermline was instructed by the English Presbyterians and the Scottish Commissioners to dispose the Queen 'à faire aller le Prince de Galles en Escosse pour, avec toutes les forces de ce Royaume là, venir en Angleterre se joindre aux Presbytériens, que les principaux assurent se devoir tous déclarer pour les interests dudit Roy.' Bellièvre to Mazarin, June 17, *R.O. Transcripts*. In a Royalist letter of Intelligence, of June 10, it is said, with far less probability, that the Prince was to come to London, *Clarendon MSS.* 2,530.

² Ludlow (*Memoirs*, ed. 1751, i. 164) puts Cromwell's flight in connection with the events which led to the Declaration of March 30 (see p. 43), which is obviously absurd. Wildman, in *Putney Projects*, p. 7 (E. 421, 19), says that Cromwell was forced to fly to the army the day after the first rendezvous, which would be on the 5th. This, however, does not fit in with the Parliamentary occurrences of the time, as if Cromwell had remained in London till the 5th he could hardly have escaped arrest, and, unless it is a mere mistake, it may perhaps be taken to mean that Cromwell made his first public appearance at the second rendezvous on Kentford Heath, which took place on the 5th. *Seria exercitūs series* (E. 419, 6) makes him arrive during the rendezvous without stating whether the first or second is meant. Judging by the internal evidence of the *Solemn Engagement*, I feel

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The rendezvous on
Kentford
Heath.

The
Humble
Representation.

vous was held on Kentford Heath, about four miles from Newmarket. Loud shouts from the assembled soldiers testified their welcome to Fairfax as he rode up to take his place amongst them. In their name the Agitators placed in the hands of the General a *Humble Representation of the dissatisfactions of the Army*, criticising the terms formerly offered to the soldiers, claiming the right of petition, and bitterly attacking the Declaration which had been rescinded at Westminster early on that very morning.¹ If, it was further alleged, the men who could frame such a libel upon the army were still in credit, there would be no safety for individual soldiers after disbandment. There was, as far as words went, no actual dictation to the Houses, but no room was left for doubt that the soldiers wished the Presbyterian leaders to be excluded from power. "Having," they said, "in this particular expressed both the case and the consequence very plainly, we leave it at the Parliament's door until they shall be pleased to fix the blame on those particular persons."²

June 5.
The
Solemn
Engage-
ment of
the Army.

It is not improbable that this appeal was penned some days before it was placed in the hands of Fairfax. Another, named *A Solemn Engagement of the Army*, which was produced and inscribed by the soldiers at a second rendezvous held on Kentford Heath on the 5th, was instinct with the fears and passions of the hour. It charged the Presbyterian

no doubt that Cromwell had a hand in it; and as that was presented on the 5th, he can hardly have reached Newmarket later than the evening of the 4th. As this date fits in with the course of events at Westminster, I have felt justified in assuming its correctness, but it is a matter of inference, not of evidence.

¹ See p. 97.

² A Humble Representation, *Rushw.* vi. 505. As appears from a letter in *Rushw.* vi. 504, it was delivered to Fairfax on the 4th, though it received additional signatures on the 5th.

leaders not merely with hostility to the army, as evinced by their public acts, but with a secret determination to light the flames of a new war. In the face of this danger officers and soldiers agreed that they would not disband before they had received satisfaction for their complaints, and also security that neither they nor ‘other the free born people of England’ should be subjected to the injustice from which they had suffered in the past. They further demanded that they should themselves be secured—by the cessation of the authority of the men now in power—from liability to punishment for the part which they had taken in resisting disbandment.

Thus far there was little to distinguish *The Solemn Engagement* from *The Humble Representation* except that it was rather more outspoken. As far as there is any internal evidence of authorship in its earlier paragraphs it points to those Agitators who had come under the influence of Lilburne. The later portion of the document, however, contains two practical declarations which can hardly have been inserted excepting under the influence of Cromwell, whose arrival at Newmarket on the evening before *The Solemn Engagement* was finally put into shape converted a protest into a declaration of policy. It must have been evident to Cromwell that if the army was to refuse obedience to Parliament, except under certain conditions, it must not be left to the Agitators alone to pronounce what those conditions were to be. Accordingly *The Solemn Engagement* proceeded to demand the erection of a Council of the Army, to be composed in the first place of those general officers who had hitherto sided with the soldiers, and in the second place of two commissioned officers and two private soldiers ‘to be chosen for each regiment.’ No

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The latter
portion
written
under
Cromwell’s
influence.

A Council
of the
Army to be
erected.

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No attack
on the
Presby-
terians
intended.

offer of security or satisfaction was to be held adequate till it had been accepted by this council. Further, there was to be no attack made on the Presbyterians as Presbyterians. "And whereas," continues this remarkable State paper, "we find many strange things suggested or suspected to our great prejudice concerning . . . designs in this army, as to the overthrow of magistracy, the suppression or hindering of Presbytery, the establishment of Independent government, or upholding of a general licentiousness in religion under pretence of liberty of conscience, and many such things; we shall very shortly tender to the Parliament a vindication of the army from all such scandals." The army, in short, would not support any particular party, but rather 'study to promote such an establishment of common and equal right and freedom to the whole, as all might equally partake of, but those that do, by denying the same to others or otherwise, render themselves incapable thereof.'¹

Cromwell's
services.His change
of front.

To organise the army while weakening the power of the Agitators by bringing them into close contact with the officers, and at the same time to obtain from the soldiers themselves authority for the pursuance of a policy of moderation, was a service worthy of Cromwell's intervention. His change of front in abandoning his strong objection to any military resistance to the authority of Parliament was evident to all, though it was not likely that those who had hitherto relied on his assurances would ascribe it to its true cause—his discovery of the intention of his opponents to use armed force for the accomplishment of their ends²

¹ A Solemn Engagement, *Rushw.* vi. 510.

² The widely accepted view that Cromwell had all through been acting hypocritically finds strong expression in Waller's *Vindication*

It was difficult even for Cromwell to keep under strict discipline a soldiery which had been so long

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(p. 139), where it is said that he stole away 'after he had publicly in the House of Commons disclaimed all intelligence with the army as to their mutinous proceedings, and invoked the curse of God upon himself and his posterity if ever he should join or combine with them in any actings or attempts contrary to the orders of the House.' No date is given for these asseverations, and Waller was doubtless quite unaware of the importance of distinguishing between words spoken before Cromwell knew of the Presbyterian negotiation with the Scots, and words spoken after that discovery. It is at least curious that Holles, Cromwell's bitter opponent, tells a similar story, but places the event in his *Memoirs*, pp. 84-86, before, and not after, the mission to Saffron Walden, which was authorised by the Commons on April 30. He says that the other officers then disclaimed any sympathy with the resistance of the soldiers, 'as Cromwell did openly in the House, protesting, for his part, he would stick to Parliament, whilst underhand they sent their encouragements and directions.' When Cromwell returned, according to Holles, 'he who had made those solemn protestations with some great imprecations on himself if he failed in his performance, did notwithstanding privily convey thence his goods (which many of the Independents likewise did), leaving City and Parliament as marked out for destruction, and then without leave of the House (after some members missing him and fearing him gone; and having notice of it came and showed himself a little in the House), did steal away that evening.' I believe that neither Waller nor Holles is correct as to dates. We can fix on two protestations made by Cromwell, one on March 20 or 22 (see p. 36, note 1); the other on May 21 (see p. 76). Cromwell may, as Holles says, have also protested shortly before April 30, but it is more likely that Holles was thinking of one or the other of the two protestations for which there is actual evidence. Waller's story no doubt refers to the protestation of May 21, which was made before he heard of the Presbyterian plot. That there was no dishonesty in Cromwell's earlier protestation we know, from Wildman's *Putney Projects*, p. 7 (E. 421, 19), in which he asserts that Cromwell and Ireton 'were willing at least by their creatures to suppress the soldiers' first most innocent and modest petition; and Colonel Rich sent several orders to some of his officers to prevent subscriptions to that petition, and the constant importunity and solicitation of many friends could not prevail with Cromwell to appear until the danger of imprisonment forced him to fly to the army.' Wildman was in close contact with the most violent Agitators, and is therefore a far better witness as to Cromwell's alleged secret communications with them than Holles can possibly be. His words may, therefore, be taken as conclusive against the theory that Cromwell

out of hand. Before the rendezvous came to an end, some of the regiments called out that the officers

was pursuing a double game, especially as they are corroborated by those of Lilburne (see p. 40, note 4).

There is a story which Burnet (*Hist. of his Own Time*, ed. 1823, i. 25) states that he heard from Grimston, which was adopted without criticism by M. Guizot (*Charles I.* ii. 32). Grimston, according to Burnet, told him that 'when the House of Commons and the army were quarrelling at a meeting of officers, it was proposed to purge the army, that they might know better whom to depend on. Cromwell upon that said he was sure of the army; but there was another body that had more need of purging, namely, the House of Commons, and he thought the army only could do that.' Grimston further said that he heard of this from two officers who were present at the meeting, that he produced them in the House, where they re-affirmed their statement, and that 'when they withdrew Cromwell fell down on his knees and made a solemn prayer to God, attesting his innocence, and his zeal for the service of the House; he submitted himself to the providence of God, who, it seems, thought fit to exercise him with calumny and slander, but he committed his cause to Him; this he did with great vehemence and many tears.'

In the first place, Grimston told this story 'a few weeks before his death,' which took place in 1683, or more than thirty-five years after the event referred to, nothing of the kind appearing in any of the numerous attacks on Cromwell published in 1647. In the second place there is a passage in Wildman's *Putney Projects*, p. 45, which throws some light on the subject. Cromwell and Ireton, he writes, 'professed themselves to be pained to the very hearts, because their way was not clear to purge the House from those unworthy men,' but when 'seventy or eighty usurped a Parliamentary power, and conspired the imbruing the people in blood, they rejoiced that God had cleared their way to purge the House,' saying, 'the Lord hath justified our cause, and hath suffered the enemies of our peace and freedom to dig pits of destruction for themselves, they have written their wickedness in their foreheads, and made the way plain for their own ejection from the House.'

Purging here means not such action as led to the expulsion of the eleven members, but the clearing away of large numbers, as was done in December 1648 by Pride's purge. Cromwell, as far as we know, first talked of purging the House in this sense in the latter part of August 1647, which is about the time at which Wildman puts it in his reference to the 'seventy or eighty,' that is to say, to the Presbyterians sitting in the absence of the Speakers at the end of July. If we accept Wildman's whole statement, the earlier profession of being 'pained in their hearts' would seem to indicate some language publicly used in the army to that effect, and this may have been the

who had not stood by them in their troubles ought to be cashiered, whilst Robert Lilburne's men, taking the law into their own hands, drove off the heath the objects of their dislike.¹

The army had all but broken with the Houses, but as yet it had not entered into any direct relations with the King. On June 4, the day of the first rendezvous, Fairfax heard of the arrival of Joyce at Holmby. He at once despatched Whalley with his regiment to protect Charles from insult. On the 5th he ordered the removal of head-quarters to Cambridge, and on his way thither, having received news that the King had been actually carried off by Joyce, sent two more regiments as a reinforcement to Whalley, at the same time ordering him to halt at Huntingdon, and, on the arrival of Joyce's party, to liberate Charles and conduct him back to Holmby. To this Cromwell added instructions to Whalley 'to use anything but force to cause His Majesty to return.'²

It was by Charles himself that Fairfax's orders were frustrated. He took up his quarters at Sir John Cutts' house at Childerley, not far from Cambridge, and absolutely refused to go back to Holmby. On the 7th, Fairfax, accompanied by Cromwell and other officers, rode over to Childerley, hoping to be able to persuade the King to return to Holmby. Charles, who appeared to be in good spirits, rallied

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Some
officers
expelled.

June 4.
Whalley
sent to
guard the
King.

June 5.
Fairfax
orders that
the King
shall be
taken back.

June 6.
Charles
refuses
return.

June 7.
Charles
visited by
Fairfax
and
Cromwell

origin of the alleged information of the two officers in Grimston's story. If Cromwell's protestations were made at all, they may have been directed against a statement that he had actually advised the purge, which, according to Wildman, he had not done.

¹ *Perf. Diurnal*, E. 519, 17.

² Sir J. Berkeley's *Memoirs*, 13. Berkeley was on sufficiently friendly terms with the officers to obtain accurate information on this point; and unless he is mistaken we have an additional reason for believing that Cromwell gave no orders to Joyce for the King's removal.

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June 8.
Charles
arrives at
New-
market.

Joyce on his liability to be hanged as a traitor, and begged to be allowed to continue his journey to Newmarket. Fairfax consented, though he refused to allow him to pass through Cambridge, lest the members of the university and the townsmen should give him too enthusiastic a reception. On the 8th Charles made his way by country lanes to his own house at Newmarket, and was received by the villagers on his route with open demonstrations of loyalty.

June 7.
A letter
from
Fairfax.

After his return from Childerley Fairfax addressed a letter to the Houses, giving an account of what had passed, and expressly stating that the army wished to leave the settlement of all ecclesiastical questions 'to the wisdom of Parliament.' For the present, under pretext of want of time, he kept back both *The Humble Representation* and *The Solemn Engagement*, no doubt because he still entertained a feeble hope that Parliament might even now be induced of itself to give satisfaction to the soldiers.¹

June 7.
The House
beset by
Reforma-
does.

The Commons were indeed discovering that others besides the soldiers of Fairfax's army could importunately demand their due. On the 7th their House was beset, not by Independents or the friends of Independents, but by a mob of Reformadoes,² who had formerly served under Essex, Waller, or Massey. These men clamoured for their arrears, and refused to go away till 10,000*l.* had been voted for them. The House knew that it might soon have need of the services of the Reformadoes. Not only was no farther step taken to conciliate the army, but the

¹ Fairfax to Manchester, June 7; Montagu to Manchester, June 7, *L.J.* ix. 248, 249; Fairfax to Lenthall, June 8, *Rushw.* vi. 550; *A Perfect Declaration*, E. 392, 11.

² Reformadoes were disbanded soldiers.

majority was settling down into a fixed determination to meet force by force. On the 8th the Commons, hoping to form the nucleus of a Parliamentary army on which they could rely, resolved that those soldiers who had volunteered for Ireland should be quartered at Worcester, and at once voted 10,000*l.* for their pay.¹ The main dependence of Parliament, however, was on the City. In the course of the day, the sheriffs presented a petition asking that the army might be paid off as soon as possible, and the King's person disposed of in such a way that the two Parliaments of England and Scotland might have access to him. The authors of this petition, conscious that it could only be carried into execution by force, further demanded the revival of an old Ordinance which permitted the City to raise cavalry in its own defence.² The proposal was excused on the ground that it would enable the City to deal more easily with mutinous Reformadoes, but it can hardly be doubted that its real object was to enable the City trained bands to take the field as a complete army. The Commons at once ordered that an Ordinance should be brought in to give effect to the desire of the petitioners.³

As often happens when bodies of men are swayed by their impulses towards an irremediable appeal to force, Parliament for a time abandoned itself in a half-hearted way to pacificatory tendencies, though the House of Commons rejected by a bare majority of one a proposal to take into consideration the real grievances of the soldiers.⁴ Both Houses concurred in a final effort to persuade the army to disband by offering a complete indemnity for acts done in the

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June 8.
A separate
force to be
quartered
at Wor-
cester.A petition
from the
City.Pacifica-
tory ten-
dencies.¹ Whitacre's Diary, *Add. MSS.* 31, 116, fol. 312.² *C.J.* v. 203; *L.J.* ix. 251.³ *C.J.* v. 206.⁴ *Ib.* v. 202.

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1647

June 10.
Rendez-
vous on
Triploe
Heath.

The Parlia-
mentary
commis-
sioners
rebuffed.

war, the actual repeal of the offensive Declaration of March 30,¹ and an engagement to add 10,000*l.* to the sum already voted for the speedy payment of arrears after disbandment. No such offers would now be of any avail unless an attempt was also made to put an end to the army's deep distrust of those who had Parliamentary authority in their hands.²

On the morning of the 10th the army was drawn up on Triploe Heath to receive this communication from Westminster. Before the arrival of the commissioners each regiment was warned³ 'to be very silent and civil towards them,' whilst it was at the same time suggested 'that a way be forthwith consulted for the speedy prevention of the Scotch invasion to disturb the kingdom.'⁴ As soon as the last votes of Parliament had been read out, Skippon, speaking in the name of the commissioners, asked Fairfax's regiment of horse whether it was willing to accept the offers now made. By an evidently preconcerted arrangement, one of the officers asked, in the name of the regiment, that they might be referred to a select body of officers and Agitators—in other words, to the newly-erected Council of the Army. To a demand whether the whole regiment agreed to this, the men replied with shouts of "All! All!" and when the commissioners retired discomfited, cries of "Justice! Justice!" followed them as they rode away. All the other regiments made the same answer.⁵

¹ The House of Commons alone had already ordered it to be expunged from its Journals (see p. 97). Now it was repealed by Ordinance.

² *L.J.* ix. 246, 247; *C.J.* v. 202.

³ Probably by its Agitators, but this is not stated.

⁴ The regiments were also recommended to seize the Cinque Ports in order to prevent treasure going out of the kingdom, and to secure all committeemen and excisemen that they might render their accounts. *Clarke Papers*, i. 127.

⁵ *Perfect Diurnal*, E. 515, 19.

The position of Triploe Heath, seven miles from Cambridge in the direction of London, was a significant indication of the intention of the new Army Council to abandon a merely passive attitude. As soon as the appeal of the commissioners had been made, and made in vain, the whole army marched forward to Royston. The request of the City to levy horse gave an excuse for addressing a remonstrance to the City rather than to Parliament, and in the evening of the 10th a letter signed by Fairfax, Cromwell, Ireton, and ten other officers, was written to the City authorities.

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1647
Designs of
the Army
Council.

A letter to
the City.

There can be little doubt that this letter was in great part the work of Cromwell. Not only is most of it written in his style, but it is redolent of his ideas.¹ It displays Cromwell as concealing from himself that he was really executing a change of front, and tenaciously holding to his old doctrine that the intervention of an army in affairs of State is a grave evil, whilst in reality he was furthering a course which he had long condemned. By a strange self-delusion he refused to admit that he was giving his approval to an enterprise in which soldiers were attempting to bend the course of politics by the employment of their swords. What they required to be done was required by them not as soldiers but as Englishmen,² and their being soldiers could not strip them of their interest in the welfare of their country.

Cromwell
the chief
author
of it.

Distinction
between
English-
men and
soldiers.

¹ Carlyle fixed on it as Cromwell's production from its style. The evidence of its ideas is quite as striking. It is apparently in reference to Cromwell's language in proposing this letter that we are told that 'O. Cromwell spake as gallantly and as heroic as if he had been charging his enemies in the field.'—*Clarke Papers*, i. 134.

² Compare his language about coming to the army in the double capacity of commissioner and soldier, see p. 63, note 1. See, too, Waller's *Vindication*, p. 145, from which it appears that the distinction between soldiers and Englishmen originated with Cromwell.

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1647

A happy
settlement
demanded.

“We desire,” continued this noteworthy remonstrance, in a passage which may possibly have come from another pen than Cromwell’s, “a settlement of the kingdom, and of the liberties of the subject, according to the votes and declarations of Parliament which, before we took up arms, were by the Parliament used as arguments and inducements to invite us and divers of our dear friends out—some of whom have lost their lives in this war, which being by God’s blessing finished, we think we have as much right to demand and see a happy settlement, as we have to our money, or the other common interest of soldiers that we have insisted upon.”

No violent
revolution
intended.

The army, it was further declared, had no wish to establish a licentious liberty, or to alter the Civil Government. “We profess, as ever in these things,” wrote—this time surely Cromwell himself, “when the State has once made a settlement, we have nothing to say but submit or suffer. Only we could wish that every good citizen and every man that walks peacefully in a blameless conversation may have liberties and encouragements, it being according to the just policy of all States, even to justice itself.”

The army
will
approach
the City.

The writer of these words would not have been Cromwell if he had forbore to draw a practical conclusion. “These things,” he continued, “are our desires, and the things for which we stand, beyond which we shall not go, and for the obtaining these things, we are drawing near your City, professing sincerely from our hearts we intend not evil towards you; declaring with all confidence and assurance that, if you appear not against us in these our just desires, to assist that wicked party that would embroil us and the kingdom, nor we or our soldiers shall give you the least offence.” The other alternative, however, must be faced. “If, after all this,

you, or a considerable number of you, be seduced to take up arms in opposition to, or hindrance of, these our just undertakings, we hope, by this brotherly premonition, we have freed ourselves from all that ruin which may befall that great and populous City; having hereby washed our hands thereof.”¹

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1647

The letter thus drawn up may at least serve as an explanation of the charge of hypocrisy which was from this time persistently brought against Cromwell.² Instead of announcing plainly that he had changed his opinion in consequence of new circumstances which had come to his knowledge, he tried to persuade himself and others that he had not changed it at all. Put into straightforward language Cromwell's doctrine was sufficiently intelligible. He held, in a somewhat hazy way, that it was in all ordinary matters the duty of Englishmen to submit to the authority of Parliament; but that if Parliament, after refusing to do an act of justice to soldiers, roused a portion of the community to take arms against those whom it had wronged, and even invited a foreign nation to assist it in the work of compulsion, the soldiers were justified, not as soldiers, but as Englishmen, in averting so dire a calamity. It was not in Cromwell's nature to look far into the future, or he might have asked himself how, if once an army, under any pretence, interfered in affairs of State, it could be induced to draw back again when its first object has been attained. In 1647 as in 1642 force had been called forth to resist misgovernment, and

The charge of hypocrisy against Cromwell.

Cromwell's doctrine about the limits of State authority.

The use of force.

¹ Fairfax and others to the Lord Mayor, &c. June 10, *L.J.* ix. 257.

² “Here,” wrote Holles afterwards, “they first take upon them openly to intermeddle with the business of the kingdom contrary to all the former declarations and their protestations; but their words, nor yet their vows were never any rule to know their meaning by.” *Memoirs* (ed. 1699), p. 103.

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Fairfax's
part in the
matter.

the habit of using force would never cease till the sword had been broken in the hands of those who wielded it. Those who blame the army may well be called on to blame still more the blundering incapacity of the King at one time, and of the Presbyterian majority at another; whilst those who have no words too strong in their condemnation of Cromwell's action, may do well to remember that the first signature to the letter was that of Fairfax. It is impossible to regard Fairfax as a mere satellite of Cromwell, obediently fulfilling the commands of a masterful subordinate. The most rational interpretation of his conduct is that he, like Cromwell, had been shaken by the discovery of the Presbyterian intrigue, and that, not being resourceful himself, he readily acquiesced in the employment of resources offered by others.

The
temper of
the HousesOvertures
to the City.

The day on which the letter was written was occupied by the House of Commons in angling for the good-will of the City, of which, as *The Humble Representation* and *The Solemn Engagement* had at last reached Westminster, their need had become pressingly evident. The House offered to abolish the excise on bread and meat, to decree that no member should henceforward derive profit from any office, grant, or sequestration, or receive recompense for his services until the public debt had been paid. Moreover, a committee was to be appointed to consider the abandonment of that privilege covering the goods of a member which had, in 1629, been strenuously upheld against the King.¹

June 11.
Warlike
resolu-
tions.

On the 11th, having received intelligence of the failure of their commissioners on Triploe Heath, the Houses took up the challenge there thrown

¹ *C.J.* v. 204; Whitacre's Diary, *Add. MSS.* 31, 116, 312b.

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down. They voted that all officers and soldiers deserting from the army should have the benefit of the late votes, and that 10,000*l.* should be set aside for the satisfaction of the expected deserters. An Ordinance was then rapidly passed empowering the Committee for Irish Affairs, on which the Presbyterians were strongly represented, to raise horse and foot; and at the same time the Ordinance—voted by the Commons three days before¹—by which the City was empowered to raise cavalry, was issued to the world. To give effect to these measures a new Committee of Safety, composed of members of the two Houses, was appointed to join the reformed City Committee of Militia,² in taking all necessary steps to defend ‘the Kingdom, Parliament, and City.’ An army, in short, was to be constituted in London to oppose the army at Royston.³

A Com-
mittee of
Safety.

It soon appeared that it was more easy to give warlike orders than to execute them. Many of the disbanded officers and some private soldiers gave in their names for enlistment, but, on the whole, the result was not encouraging. An army hurriedly brought together would hardly be able to meet Fairfax’s veterans in the open field, and though the Presbyterian leaders counted on a Scottish force to come to their relief,⁴ the City would, in all probability, be starved out long before assistance could reach it from the North.

Coldness
of the City.

In the afternoon the arrival of the letter from the officers to the City, accompanied by the know-

Arrival of
the letter
of the
officers.¹ See p. 107.² See p. 67.³ *L.J.* ix. 255; *C.J.* v. 207.

⁴ “La fazione Presbiteriale anche ella parla assai alto, et di volere richiamare gli Scozzesi in questo Regno in suo aiuto, più presto che di soffrire l’Indipendente d’haveere il suo intento,” Salvetti’s despatch, June $\frac{11}{21}$, *Add. MSS.* 17, 962, L. fol. 385b.

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June 12.
A fresh
message to
the army.Answer to
the City.News that
the army is
marching.Difficulty
of rousing
the City.

ledge that the army had moved forward to Royston, gave further pause to the warlike spirits. The first thought of the Houses was to forbid Fairfax to approach within forty miles of London. On the 12th, however, the effect of the letter from the army was more clearly seen. New commissioners were appointed to go to Fairfax's head-quarters to find out the extent of the demands of the soldiers, and to assure them that Parliament was 'in a way of settling the peace of the kingdom.' The Common Council, too, drew up a temporising answer to the summons from Royston, in which they repudiated any intention of resisting the just demands of the soldiers, and requested the army to remain at a distance of at least thirty miles, on the ground that, by coming nearer, it would enhance the price of provisions in London.¹ This answer was to be conveyed to head-quarters by a deputation of citizens.

Later in the morning news arrived that the army had left Royston and was marching southwards. At once the Presbyterian Militia Committee ordered the trained bands to turn out on pain of death, and the shops to be closed. The Westminster regiment was the only one which appeared in strength. In the City regiments the attendance was exceedingly thin. Some companies were represented by no more than ten men; in others the officers found themselves alone. Drummers were sent round to summon the laggards to their duty, but their call to come in on pain of death met with no response except in the jeers of the boys in the streets. The personal intervention of the Presbyterian Lord Mayor—Sir John Gayer—was required to induce the tradesmen round the Exchange and Cornhill to close their shops. In

¹ *Rushw.* vi. 557, 558.

every other part of the City men bought and sold as usual. After a while it was discovered that an army leaving Royston in the morning could hardly reach London in a single day. A strong force was kept on the lines of the fortification, but the remainder of the trained band were suffered to go home and the closed shops to be opened.¹

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L.
1647

In the new Committee of Safety, on the other hand, on which the more fiery spirits of the Presbyterian party were fully represented, there was no drawing back. This committee was now established at Guildhall, and busied in preparing lists of disbanded officers willing to serve the Parliament.² It is possible that even in the governing circles of the City umbrage was taken at the attempt to organise the City defence under this purely Parliamentary committee. At all events, when on the 13th the deputation of the citizens, charged with the answer to the army, reached St. Albans, where Fairfax had established his head-quarters, its members were soon on the best of terms with the soldiers. The Council of the Army thus found itself at leisure to reply to the request made by the latest Parliamentary commissioners³ for a statement of the whole of the demands of the army. The result was a paper styled *The Declaration of the Army*, which was placed in the hands of the commissioners on the morning of the 15th.⁴ It was the first deliberate attempt of the army to set forth a political programme.

Action of
the Com-
mittee of
Safety.

June 13.
A deputation
from
the City
at St.
Albans.

June 15.
*The
Declaration
of
the Army.*

Passing lightly over the military grievances brought forward on previous occasions, the Declaration sought

¹ Newsletter from London, June 13, *Clarke Papers*, i. 132.

² Order of the Committee of Safety, June 12, *L.J.* ix. 275.

³ See p. 114.

⁴ The Commissioners to Manchester, June 15, *L.J.* ix. 269

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The army
not merely
mercenary.

to establish the right of the army to speak in the name of the English people, on the ground that it was not 'a mere mercenary army, hired to serve any arbitrary power of a State, but called forth and conjured by the several declarations of Parliament to the defence of their own and the people's just rights and liberties.'¹ These declarations had pointed them 'to the equitable sense of all laws and constitutions as dispensing with the very letter of the same and being supreme to it, when the safety and preservation of all is concerned, and giving assurance that all authority is fundamentally seated in the office, and but ministerially in the persons.' In other words, the army argued that erring members of Parliament should be resisted as well as erring kings. To give effect to this doctrine the authors of the Declaration went on to ask that the House should be purged of those members who by corrupt actions or abuse of their powers, or by any other delinquency, had made themselves unfit to retain their seats, as well as of those who had been unduly elected. To this was added a further demand that those who had defamed the army might be incapacitated from doing further harm by exclusion from the power which they now possessed.

The House
to be
purged.Constitu-
tional
demands.

So violent an interference with the existing basis of the Constitution naturally led to an inquiry into the best method of averting similar catastrophes in the future. The Declaration, therefore, proceeded to refer to an argument which might possibly be adduced in favour of placing authority in the hands

¹ This does not mean that all the soldiers were volunteers, but that in whatever way they had entered the army they had been brought into it on the ground of certain declarations of Parliament, and had fought for these, and not only for their pay.

of men ‘approved at least for moral righteousness,’ and more especially of men actuated ‘by a principle of conscience and religion.’¹ Yet, excellent as such an arrangement might appear, the conclusion reached was that there was great force in the objection that it was in any case undesirable to sanction ‘absolute and arbitrary power settled for continuance in any persons whatsoever.’

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1647
Shall
religious
men
govern?

The old way was therefore the best. Let Parliaments be trusted still, yet without any superstitious belief that Parliaments would be always in the right. Even the dissolution of a corrupt and factious Parliament gave no security that the next Parliament would not be still more corrupt and factious. All that could be done was to shorten the duration of Parliaments, so that the people might be enabled ‘if they have made an ill choice one time to mend it in another.’ For the first time the modern political doctrine that the people themselves are the source of power, and that there is no appeal from their decision when expressed through Parliaments recently chosen, was publicly set forth in England.

Parliaments to be trusted, but not superstitiously.

The duration of Parliaments to be shortened.

To give effect to these principles the soldiers laid down a series of definite requirements. The House of Commons was asked to fix a date for its own dissolution. A certain period was to be fixed for the duration of future Parliaments, which were not to be adjourned nor dissolved without their own consent. The right of petitioning Parliament was to be clearly acknowledged. Offences were to be punished by law and not by Parliament. The powers of the county committees were to be restricted and the accounts of the nation published.

Proposed measures.

¹ This anticipates the ideas of those who summoned the so-called Barebones’ Parliament.

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L.

1647

After public justice had been satisfied by a few examples, and delinquents had been admitted to compound, there was to be a general act of oblivion. Finally, after repeating their demand for toleration within the limitations set down in *The Solemn Engagement*, the authors of this remarkable State paper concluded by asking all men to judge whether the army sought anything for itself, or for any party in the nation, 'to the prejudice of the whole.'¹

Ireton the
principal
author.

As the closing paragraphs of *The Solemn Engagement* bear unmistakably the impress of Cromwell's mind, *The Declaration of the Army* bears no less unmistakably the impress of Ireton's. Cromwell thought first of safeguarding religious liberty with the least possible injury to existing institutions. Ireton, while keeping before him the object of establishing religious liberty, was mainly inspired by a desire to remodel the institutions of the country in order to safeguard popular government from royal or Parliamentary usurpation. Cromwell cared little for constitutional forms, whilst Ireton thoroughly realised their importance.

Ireton
not an
idealist.

It was not speculative thought which brought Ireton to anticipate much of the political thought of the closing years of the nineteenth century. That which weighed with him was mainly the necessity of providing against the arbitrary power of a king whom no one might dethrone, and the arbitrary power of a Parliament which no one might dissolve. There had to be found an arbitrator between the two, and no one who, like Ireton, had imbibed the democratic spirit of the Independent congregations was likely to select any other than the English people,

His prac-
tical aims.

¹ *Rushw.* vi. 564.

because, though the nation itself might often be mistaken and careless, it alone was interested in coming to a right decision. Ireton seemed to have provided for everything, but there was one thing which he had not foreseen, the absolute refusal of the English people, for many a long year, to take up the high position which he had marked out for it.

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1647

CHAPTER LI.

THE ELEVEN MEMBERS.

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LI.

1647

June 14.
Temper
of the
Houses.A Parlia-
mentary
manifesto
proposed.The King
to come to
the south
of the
Thames.A Scottish
invasion
feared.June 15.
Charles to
come to
Richmond.

THERE was little chance that the Houses would pay attention to a scheme so radical and so humiliating to themselves as that which Ireton had sketched out in the army's name. On June 14, whilst that scheme was still under discussion at St. Albans, the Lords asked the Commons to agree to a manifesto setting forth the benefits which Parliament had conferred and still intended to confer on the kingdom. In order to indicate that peace was included amongst the latter, it was proposed to fix upon a place to which the King should be brought with a view to the re-opening of negotiations.¹ Stapleton at once urged that Charles should be invited to come to some place south of the river. As every Independent firmly believed that his opponents aimed at securing peace by means of a Scottish invasion, this proposal to remove Charles from the custody of the army was hotly contested. There was, wrote one of them, 'great talk of a design to bring the Scots in again, and that Lauderdale is gone with a letter from his Majesty for the Prince, who is to come in at the head of that army.'² On the 15th, however, both Houses voted that Charles should be removed to Richmond,

¹ *C.J.* v. 210.² Newsletter from London, June 14, *Clarke Papers*, i. 136.

where he was to be guarded by a regiment which had been raised in Lincolnshire, and which formed no part of the New Model army. This regiment was the more fit to carry out the designs of the Parliament, as its commander, Rossiter, was himself a staunch Presbyterian.¹

On the following morning the Houses learnt, even more plainly than they had learnt before, that they could place no dependence on the City. The Common Council would not hear of 'a new war.' Municipal jealousy came to the aid of the tradesmen's love of peace, and even the new Presbyterian Committee of the Militia declared against the levy of soldiers within the limits of the City by the Parliamentary Committee of Safety. The Houses were driven to repudiate the action of their own committee,² and also at the urgent request of the City to send a month's pay to Fairfax's army, lest its necessities should compel it to advance on London.³

Later in the course of the same day *The Declaration of the Army* reached Westminster; and it was promptly followed by a charge made in the name of the army against eleven members of the House of Commons: Holles, Stapleton, Lewis, Clotworthy, Waller, Maynard, Massey, Glyn, Long, Harley, and Nichols. The eleven were accused of endeavouring to overthrow the rights and liberties of the subjects; of delaying and obstructing justice; of misrepresenting the army in order to obtain the authority of Parliament for acts calculated to irritate the army and thereby cause the failure of the proposed relief

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June 16.
Attitude of
the City.

The Com-
mittee of
Safety
repudiated.

*The
Declara-
tion
of the
Army*
before the
House.

Charge
against
eleven
members.

¹ *L.J.* ix. 267; *C.J.* v. 210.

² Act of the Common Council, June 15; Order of the Militia Committee, July 16, *L.J.* ix. 274.

³ *C.J.* v. 214.

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LI.

1647

of Ireland; of attempting to raise forces in order to throw the kingdom into another war; and finally of encouraging the violence of the Reformadoes at Westminster. The army, in conclusion, alleged that in due time it would bring forward sufficient proof of these accusations.¹

State of
feeling
in the
country.

An army is particularly ill-qualified to serve as a jury of presentment, and it might have been expected that a charge brought in such a fashion would have roused considerable indignation in the country. So poorly, however, had the Presbyterians played their cards that, though four months before they had been generally regarded as the party of peace, they were now beginning to be regarded even in friendly quarters as the party of war. It is indeed undesirable to lay much stress on the petitions which now reached Westminster in defence of the proceedings of the soldiers. The signatures to them were probably not numerous, and it was alleged, probably with truth, that they were carefully prepared at headquarters. The remarkable thing is that there was no counter-demonstration on the other side. At a time when the Presbyterians should have had a nation behind them, they had nothing but an intrigue with the King and the Scots. Charles, as might be expected, was most friendly in words, taking care to let his supporters know how well-disposed he was towards them, and to assure them that he passionately desired to be with his Parliament. On this the Houses took heart of grace, and ordered Fairfax to send the King to

The Pres-
byterians
without
support.

The King
to be sent
to Rich-
mond.

¹ The heads of a charge, *Rushw.* vi. 570. Speculation had been rife as to the number of those to be accused. According to one statement it was thought that it would reach twenty-eight, namely ten members of the House of Commons, ten citizens, four peers, and four members of the Assembly of Divines. Joachimi to the States General, June $\frac{18}{28}$, *Add. MSS.* 17, 677, S, fol. 462.

Richmond and to remove his army to a distance of forty miles from London. At the same time they gave Lauderdale a pass to travel to Newmarket, doubtless with the intention that he should concert operations with Charles.¹

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Whatever might be the ultimate decision of the authorities in Scotland, their power to intervene in England was greater than it had been when they marched out of Newcastle. Before the end of March David Leslie, having overrun the whole of Huntly's country, left Middleton behind him to pursue the fugitive Marquis, and then made his way across the mountains to put an end to the ravages of Alaster Macdonald in the territory of the Campbells. In the middle of May Leslie was joined by Argyle, and their united forces bursting into Kintyre fell upon the redoubted chief who had accomplished marvels under the leadership of Montrose. Alone, Alaster Macdonald was unable to hold his own, and taking to his boats he sailed for Islay. His deserted followers surrendered at discretion. Argyle, however, is said, though on doubtful evidence, to have urged Leslie to make short work with the enemies of the Campbells, and a minister, John Nevoy, who accompanied the army, persistently urged Leslie to put the Amalekites to the sword. To his pleading Leslie somewhat reluctantly yielded, and the whole number of the captives were slaughtered almost to a man.² "Now, Mr. John," Leslie is reported to have said to the minister, when the butchery was at an end, "have you not once gotten your fill of

State of
affairs in
Scotland.

March.

May.

¹ *L.J.* ix. 272, 273, 276.

² Leslie to the Commissioners, March 27; April 8, *Thurloe*, i. 89, 90; Sir James Turner's *Memoirs*, 45, 47; Montreuil to Mazarin, June $\frac{8}{18}$, *Arch. des Aff. Étrangères*, lvi. fol. 145, 163.

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June.
A Scottish
army
offered to
Charles.

blood?"¹ Two forts in Islay held out for a time, but Macdonald ultimately returned to Ireland, and the war in Scotland was practically at an end.

By the beginning of June, therefore, Scotland had it in her power to send an invading army into England, and soon after Charles arrived at Newmarket he received from Argyle and the dominant party² an offer of such an army to be sent to his assistance. This offer, however, Charles peremptorily declined.³ He probably considered that a Scottish army coming to his help under the influence of Argyle would insist upon a complete surrender to the Presbyterians, and he was at this time listening to more brilliant overtures from the English army.

Conditions
offered by
the army.

The army leaders indeed offered terms far less stringent than those of the Presbyterians. They assured Charles not only that they would engage to remain under their arms till they had restored him to his ancient authority, but that they were prepared to set up once more the religion which he so dearly loved, if only he would tolerate others. It is said also that they asked that the existing Parliament should be dissolved and another summoned in three years, though as our information comes from a foreigner, who was not conversant with English constitutional forms, it may be conjectured that what was really asked of Charles was that he should bind himself to

¹ Guthry's *Memoirs*, 128. As Sir James Turner was actually present on this occasion, I have preferred his authority to that of Guthry, but the saying attributed to Leslie by the latter is probable in itself.

² Hamilton was at this time opposed to intervention. See Montrenil's despatches to Brienne for May and June, *Carte MSS.* vol. lxxxiii.

³ Bellièvre to Mazarin, July, *R.O. Transcripts*. That the army offered to dissolve Parliament is also stated on the Queen's authority, in a letter written at Rome on July 14 by Sir K. Digby to the Pope. *Roman Transcripts, R.O.*

carry out the provisions of the Triennial Act of 1641. However this may have been, Charles shrank from the engagement required of him. He seems to have feared lest the Independents should in some way become his masters by influencing the new Parliament, and would be no less hostile to monarchy—as he understood the word—than the Presbyterians themselves. Our informant was of opinion that if the King had accepted these terms he would at once have been restored to the throne.¹ Evidently Charles intended to insist on having all or nothing.

This offer of the army was made somewhere about June 9. Ten days later, on June 19, Charles was again turning somewhat dubiously to the Presbyterians. On that day Lauderdale had an interview with him at Newmarket, and though Charles's answers appear to have been considered unsatisfactory in point of religion, he showed his anxiety to be on good terms with the Presbyterians by expressing, on the following day, his readiness to remove to Richmond.² Charles's decision would have been of little moment unless Fairfax's approbation could be secured, but Fairfax, as well as the other officers in the army, were at this time anxious to conciliate him as far as possible. They had favourably received an application from him to be allowed the society of the Duke of Richmond, Sir William Fleetwood, as well as that of two of his chaplains, Sheldon and Hammond;³ and Fairfax now instructed Whalley to

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June 19.
Lauder-
dale's
interview
with
Charles.

June 20.
Charles
offers to
go to
Richmond.

The King
to have his
chaplains.

¹ "E se il Rè havesse voluto acconsentire al loro desiderio un mese fa, S. M. sarebbe stata reintegrata nel suo trono." Newsletter, July 19, *Roman Transcripts, R.O.* The proposal was, therefore, made about June 9.

² Montagu to Manchester, June 20, *L.J.* ix. 283.

³ The King to Fairfax, June 17, *Clarke Papers*, i. 137.

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June 22.
News from
Fairfax.

Signs of
mutiny
amongst
Poyntz's
soldiers.

June 21.
*The
Declara-
tion of
the Army*
considered,

June 23,
but its
constitu-
tional pro-
posals
rejected.

The army
irritated.

attend him to Richmond, though he was not to allow him to find his way to London.¹

To the Houses Fairfax showed himself less compliant. Not only did he refuse to obey their order to retire beyond the radius of forty miles from London, but he had rallied to his army six companies which had left him for service in Ireland.² Further north, Poyntz's soldiers in Yorkshire, on whose services the majority was counting, had been giving ear to some Agitators sent to them from Fairfax's army, and now showed a disposition to mutiny.³

Powerless as it was, the House of Commons had no mind to submit. On the 21st, indeed, it took into consideration *The Declaration of the Army*, and authorised an inquiry into the alleged delinquency of some of its members. On the 23rd, on the other hand, it refused even to discuss the soldiers' demand that a date should be fixed for a dissolution, or that future Parliaments should be limited in duration, and protected against dissolution without their own consent. Its utmost concession was to express a readiness to consider the question of the right of petition. The army was then required to furnish proofs of the misconduct of the eleven members if it wished the promised investigation into their case to proceed.⁴

In the army the irritation caused by these resolutions was intense. It was there firmly believed that the Houses were only seeking to gain time till an opportunity occurred for using force. It was remarked that the men enlisted in the City by the

¹ Fairfax to Whalley, June 21 (?), *Clarke Papers*, i. 138.

² Nottingham to Manchester, June 21, *L.J.* ix. 286.

³ Poyntz to Lenthall, undated, Cary's *Mem. of the Civil War*, i. 233.

⁴ *C.J.* v. 208, 221.

Committee of Safety were still under arms, and that attempts had been made—not entirely without success—to encourage desertions from the army itself by the offer of a full payment of arrears. Whilst the danger from the Reformadoes of the City was still dreaded, there was another danger from the side of Worcester, where was collected a considerable body of those soldiers who had volunteered for Ireland, and were now, as was believed at St. Albans, prepared to act against their old comrades. It was possible also that Poyntz's army farther north might be won over to the side of Parliament by a recent order to send down 10,000*l.* in payment of its arrears.¹

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The suspicions of the soldiers did not outrun the facts. According to the plan adopted in the councils of the Presbyterians, the forces at York and Worcester were to combine with those now gathering in London—which were formed, not, as had been the case earlier in the month, of mere citizen soldiers, but of men who had known the stress of actual war—and were to fall upon Fairfax and rescue the King from his grasp.² Moreover, the negotiation for transferring the Prince of Wales to Scotland was still on foot.³

Presby-
terian
designs.

¹ *C.J.* v. 219.

² Bellièvre, who was deep in the secrets of the Presbyterians, states that if the King is not allowed to go to Richmond, 'l'armée que commande au Nord le General Poyntz, assistée des levées que l'on tient prestes dans les provinces, aussy bien que dans ceste ville, marcheroit contre celle de Fairfax.' Bellièvre to Mazarin, ^{June 24,} ^{July 4,} *R.O. Transcripts.*

³ "Les Independents qui croyent sçavoir les affaires tiennent pour constant que les Presbyteriens ont un traité avec la Royne de la Grande Bretagne, en suite duquel elle et le Prince de Galles doivent sortir de France au premier jour," ^{June 21,} ^{July 1,} *R.O. Transcripts.* Though this is merely put as a belief of the Independents, Bellièvre does not express any doubt of its correctness. As far as the Prince is concerned there is no doubt that Dunfermline had gone to invite him to Scotland

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The Presbyterian
forces
scattered.A new
remon-
strance
from the
army.June 24.
The
Houses
give way.

The danger was, perhaps, not quite as great as the Independents imagined, as the forces on which the Presbyterians could count were far from being in complete agreement, and were widely scattered; whereas the army was of one mind, and was gathered in one place. Its leaders now spoke plainly out. In a new and lengthy remonstrance presented to the Parliamentary Commissioners on June 23, the Army Council declared that it would have been ready to see the impeachment of the eleven members postponed if their continuance in authority did not increase the risk of a new war. Until they were deprived of the means of doing harm that danger would never be at an end. It was therefore necessary to insist on the suspension of the eleven members from sitting in the House, the expulsion of the Reformadoes from London, the disbandment of the soldiers recently enlisted, and the postponement of the King's removal to Richmond.¹

The Lords were the first to yield.² On the 24th they voted that the King, who was now with the army at St. Albans, should be requested to draw back to Royston or Newmarket, and the Commons had nothing for it but to give their assent. The Common Council, too, being in a yielding mood, asked leave of the Commons to send a deputation to Fairfax to keep him in good humour with the City, and supporting the demands of the army for the expulsion of the Reformadoes, and the disbandment of the new levies. Before the House broke up a fresh message arrived

(see p. 98). Compare a Letter of Intelligence of June 21, in the *Clarendon MSS.* 2,534.

¹ A Humble Remonstrance, June 23, *Rushw.* vi. 585.

² Bellièvre complains bitterly of their weakness. Bellièvre to Mazarin, ^{June 24}_{July 4}, *R.O. Transcripts.*

from St. Albans, reiterating the demand for the expulsion of the eleven members.¹

To give point to its message, the army on the 25th shifted its head-quarters to Uxbridge, where, as its posts were scattered over a line reaching from Staines to Watford,² it was admirably placed for the purpose of cutting off supplies from London. Special care was taken to keep Charles in the power of the army. Rossiter, who had been appointed by the Houses to take charge of the King's person, was now directed by Fairfax to march together with his regiment to head-quarters.³

For a time the Houses persuaded themselves that it was possible to stand firm. On the 25th, whilst the army was still on the march towards Uxbridge, the Commons declared 'that it doth not appear that anything hath been said or done within this House by any of the members in question, touching any matters contained in the papers sent from the army, for which this House can in justice suspend them.'⁴ The next morning brought from the army letters so menacing in their tone that the eleven members themselves found their position untenable. At their own request they received leave of absence and withdrew from the House.⁵

No one at the present day would be inclined to deny that military intervention to redress the balance of Parliamentary parties is an enormous evil. What can be said on behalf of the army is that the country was passing through a crisis in which the

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June 25.
The army
removes to
Uxbridge.

The
Commons
refuse to
suspend
the eleven
members.

June 26.
With-
drawal of
the eleven
members.

Undis-
guised
military
interven-
tion.

¹ *C.J.* v. 222. Fairfax and the Council of War to the Commissioners at St. Albans, June 24, Cary's *Mem. of the Civil War*, i. 255.

² *Perfect Occurrences*, E. 515, 24.

³ Montague to Manchester, June 25; Nottingham to Manchester, June 25, *L.J.* ix. 296.

⁴ *C.J.* v. 223.

⁵ *Ib.* v. 225.

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The knot
cut, not dis-
entangled.

foundations of government had become unsettled ; and that the existing Parliament was an oligarchy protected by statute against dissolution.

The injustice with which the material grievances of the soldiers had been met by Parliament was no doubt the main cause which banded the army against the Presbyterian leaders, but it is impossible to leave out of sight the fact that the best men in the army were convinced that in coming to an understanding with the Scottish commissioners, and in agreeing to accept from the King terms which would have left everything in a condition of uncertainty, the Presbyterians were as blind to the true interests of the State as they were to the fairness of the original demands of the soldiery. It had been Ireton's opinion, embodied in the great remonstrance of the army, that if the nation deliberately chose a Parliament which worked evil, it was the duty of all men to submit in the hope that the nation would change its mind at the next election. The power held by the Presbyterians was exempt from the chances of an election, and the army, having the sword in its hands, cut the knot in a rough and ready way. How, having once employed force, the army could step back into the domain of legality was a question not easy to answer, and it would become still more difficult as time went on, bringing temptations to solve fresh difficulties in the same way as it had solved its difficulties now.

A question
to the
army.

Even before the withdrawal of its members, the House of Commons had shown its consciousness of weakness by asking the army to signify what were the least concessions which would be deemed satisfactory.¹ On the 28th the answer of the army was received. Parliament must discourage the desertions

June 28.
The
army's
demands.¹ *C.J.* v. 224.

which it had before invited, must pay the soldiers who were constant to their duty as much as had been offered to the deserters, must send the Reformadoes out of London, must abandon all warlike preparations and all invitations to armies from Scotland or the Continent, must pay the army till a settlement of the kingdom was reached, and must consent not to bring the King nearer London than the place where the quarters of the army might be at any given time. If these requests were granted the army would retire to Reading. As for the eleven members, the proceedings against them might be postponed till the business of the kingdom had received its due attention. In other words, there was no disposition to bring them to punishment now that they had ceased to be dangerous.¹

Whilst the army was engaged in its dispute with the Houses, it had taken care to facilitate a future good understanding with the King by granting his reasonable requests. On June 25 he was allowed to receive a visit from the ever-faithful Duke of Richmond, and his chaplains, Sheldon and Hammond, reached him at the same time.² A letter from Cromwell and Hewson instructed Whalley, who was still in command of the guard placed over the King, that, in the event of the Parliamentary commissioners directing him to dismiss the chaplains, he was to refuse to obey their orders.³ On Sunday, June 27, Charles, who had by that time removed to Hatfield, for the first time since he left Oxford, more than a year before, joined in divine service con-

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The King's
treatment.June 25.
He is
visited by
Richmond
and by his
chaplains,June 27,
who
officiate
before him.

¹ Nottingham and Wharton to Manchester, June 27, *L.J.* ix. 299. Certain Independent articles said to have been presented by the army to the King (*MS. E.* 393, 11) were no doubt forged. See *Rushw.* vi. 602.

² See p. 125.

³ Cromwell and Hewson to Whalley, June 25, *Clarke Papers*, i. 140.

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June 28.
The Houses order the dismissal of Richmond and the chaplains, and the removal of the King.

June 30.
A preacher's remark.

The Houses powerless.

July 1.
The chaplains summoned to the Commons' bar.

ducted in accordance with the Prayer Book of the English Church.¹

In spite of the withdrawal of the eleven members, the Houses were still controlled by a Presbyterian majority, and, on the 28th, flaming up in indignation, they sent orders to their commissioners to drive Richmond and the two chaplains from the King's presence.² The next day they voted that Charles should return to Holmby, hoping in this way to remove him from the influence of the army.³ These, however, were but counsels of despair, and on the 30th, the day of the monthly fast, the preacher who addressed the Commons gave vent somewhat profanely to what was doubtless the general feeling. "If the wheels turn thus," he said, "I know not whether Jesus Christ or Sir Thomas Fairfax be the better driver."⁴

The Houses were soon brought to a sense of their impotence. They learnt that Whalley had opposed a passive resistance to their orders for the dismissal of Richmond and the chaplains, and, what was still worse, that even the King had given way before the seductions of the army. He had made up his mind, he said, when he was told of the vote for his return to Holmby, to go to Windsor and to Windsor he would go. On this the Commons summoned Sheldon and Hammond to their bar, to answer for having used the Book of Common Prayer 'with divers superstitious gestures contrary to the Directory as prescribed by ordinance of Parliament.'⁵ The chaplains, however, as well as the King, were already at Windsor,

¹ Letter of Intelligence, June 28, *Clarendon MSS.* 2,538.

² *L.J.* ix. 302.

³ *Ib.* ix. 304.

⁴ Newsletter from London, July 3, *Clarke Papers*, i. 150.

⁵ *L.J.* ix. 305, 307.

and when the messengers arrived to carry out the orders of the House the soldiers took good care that neither Sheldon nor Hammond should be found.¹

With all their desire to take Charles's actions in good part, the soldiers could hardly feel satisfied with his bearing. He talked as if he could summon both Parliament and army before him to accept their judgment at his hands. "Sir," said Ireton in reply to some such language, "you have an intention to be the arbitrator between the Parliament and us; and we mean to be it between your Majesty and the Parliament."²

On July 3, Parliament having assented to some at least of the demands of the army, head-quarters were removed to Reading, whilst the King was established at Lord Craven's house at Caversham on the opposite bank of the Thames. On the 4th Charles had an interview with Cromwell, and it was observed that they both appeared well satisfied with the result. The leading personages of the army openly expressed their belief that an understanding with the King would be arrived at in a fortnight, and with Parliament even sooner, a body of commissioners having been already appointed to represent the army in discussing with the Parliamentary commissioners the terms of a definite settlement.³

Though it is untrue that Fairfax allowed himself to be a mere puppet in Cromwell's hands, he undoubtedly allowed his energetic Lieutenant-General to take the lead in the negotiation which was now

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Charles at
Windsor.

July 3.
Head-
quarters
removed to
Reading,
and the
King at
Caver-
sham.

July 4.
Charles's
interview
with
Cromwell.

Fairfax
and
Cromwell.

¹ *L.J.* ix. 313; Letter of Intelligence, July 5, *Clarendon MSS.* 2,547.

² Sir J. Berkeley's *Memoirs*, 15.

³ Letter of Intelligence, July 4, *Clarendon MSS.* 2,544; Joachimi to the States General, July 13, *Add. MSS.* 17,677, S, fol. 471; *Clarke Papers*, i. 148.

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opened.¹ Fairfax, like Cromwell, whilst deeply sympathising with his soldiers in their grievances, had been anxious to cling as long as possible to Parliamentary supremacy as the surest means of averting military anarchy or military despotism. Fairfax, like Cromwell, had seen in the attempt of the Presbyterian leaders to raise 'a new war' in England, the point at which patience must end, and it may fairly be concluded that they both hoped to find in the authority of the King that basis of a reasonable constitutional settlement which they had failed to obtain from Parliament. It is true that Charles had hitherto proved impracticable, but those who were now about to negotiate with him can hardly be blamed if they believed the source of the mischief to be not in Charles's own character, but in the unreasonable demands of their rivals. That their own demands would appear to him no less unreasonable was hardly likely to occur to them.

Import-
ance of
gaining
the King.

Royalist
pamphlets.

The chance of gaining the good-will of the King was not to be lightly thrown away. That Charles was still a force in the kingdom had been recently shown by the popular welcome accorded to him in his progress to Holmby in February, and in his progress to Newmarket in June. After his removal from Holmby pamphlets undisguisedly Royalist in tone were, for the first time since the beginning of the Civil War, openly sold in London. A Welsh judge named Jenkins boldly asserted that the rule of the law was

¹ In his article on Fairfax in the *Dict. of Nat. Biography*, Mr. Firth has shown that Fairfax's statement in *The Short Memorial*, that he was obliged to sign papers which he disliked, cannot be literally true, as the State-papers of the army were signed by Rushworth and not by Fairfax. Still weightier evidence of Fairfax's general concurrence in the proceedings of the army is to be found in Rushworth's letters printed in the Fairfax Correspondence, Bell's *Memorials of the Civil War*, i. 343-371.

inseparable from the rule of the King, and though Parliament cast him into prison, his arguments were greedily devoured. The instinctive feeling which causes every community to shrink from throwing all its ancient institutions into the melting-pot made for the restoration of the monarchy, and this feeling was now reinforced by a sentiment of pity for a captive King, whose patience under personal hardships made more impression on the world than the untrustworthiness of his engagements.

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Judge
Jenkins.

To all this tide of pity swelling into indignation a voice was given by a parody of George Herbert's *Sacrifice*, which struck the keynote of thousands of subsequent inflammatory appeals to the popular temper. It audaciously compared the sufferings of Charles with the sufferings of Jesus. Yet, blasphemous as the comparison was, few could listen unmoved to such lines as these, halting as they were:—

June 25.
A parody
on George
Herbert's
Sacrifice.

"I have been trucked and bought and sold, yet I
Am king (though prisoner) ; pray tell me why
I am removed now from Holdenby :
Never was grief like mine.

"To Newmarket now I am by your army led ;
They'll sell me better than your brethren did,
Else seek to make me shorter by the head :
Never was grief like mine.

"For my wronged kingdom's sake, my very grief
Doth break my heart. Until I find relief
I'll sue to heaven mercy from God, my chief :
Never was grief like mine.

"Causeless they like a bird have chased me ;
Behold, O Lord, look down from heaven and see,
Thou that hearest prisoners' prayers, hear me !
Never was grief like mine."¹

¹ *His Majesty's Complaint*, E. 393, 38. Thomason's date of publication is June 25.

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Cromwell
for an
under-
standing
with the
King.Growth
of the
idea of
toleration
amongst
the
Royalists.June 28.
*The
Liberty of
Prophe-
sying.*Jeremy
Taylor.Com-
parison
between
Taylor
and Chil-
lingworth.

The idea of attempting to come to terms with the King had been familiar to Cromwell ever since the fall of Bristol. He may well have thought that by scrupulously respecting Charles's conscience, he might succeed where the Presbyterians had failed.

In pleading, as he would certainly do, for liberty of conscience, Cromwell would not be without the support of some of Charles's most attached followers. Persecution had called forth amongst his clerical adherents a growing attachment to the principle of toleration, which had found expression in the recommendations of the Oxford clergy at the time of the Treaty of Uxbridge.¹ The principle which was then enunciated in brief and dry propositions was now set forth at length in a sustained argument by the most eloquent of the Caroline divines, who on June 28,² a few days before the negotiation between Charles and the army was opened, sent forth to the world *The Liberty of Propheying*.

The author of the work, Jeremy Taylor, had been in his youth in high favour with Laud, and had zealously adopted his principles. He had recently been reduced to poverty by the events of the Civil War, but his misfortunes had only served to mellow his sweet and harmonious temper. Though Taylor was distinctly more emotional and less severely logical than the author of *The Religion of Protestants*, three-fourths of his argument were written under the influence of Chillingworth's great work. Taylor condemns intolerance as uncharitable rather than as unreasonable, but his leading idea is much the

¹ See vol. ii. 71.² This is Thomason's date of the publication of the first edition, E. 395, 2.

same as that of the elder writer, that of a Church in which everyone is allowed to profess his own opinion as long as it does not affect the bases of religion and morality, though he is not without hope that even in minor matters, free and charitable discussion will ultimately lead to substantial agreement.

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It was, however, impossible for Taylor to leave the matter here. Since *The Religion of Protestants* had appeared, the Separatist claims had been pushed more fully home, and arguments which, like those of Chillingworth, had been originally directed against the Church of Rome, and which therefore laid special stress on the importance of giving free scope to intellectual divergences, could not be expected to satisfy men who claimed full liberty of sectarian worship. In face of an attack from a new quarter must of necessity come a change in the defence. With Milton's belief in the positive advantages of sectarianism Taylor had no sympathy whatever. Instead of rejoicing in the assistance which it gave in the development of strong characters, and in fostering salutary ideas which were in danger of neglect, he fixed his eyes on its uglier aspect, its tendency to exaggerate differences of opinion, to encourage intellectual narrowness, and to extinguish the fire of charity. So much the more praiseworthy is it in Taylor that he recognises that these evils are not to be combated by force, and 'that matters spiritual should not be restrained by punishments corporal.'¹

Taylor's
own con-
tribution
to the
toleration
contro-
versy.

Yet even Taylor, advanced as he was, does not, any more than Cromwell, uphold that standard of perfectly unlimited toleration which had been raised

Limits
to his
approval of
toleration.

¹ *Lib. of Prophecy*, § 16.

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by Roger Williams. "But then," he argues, "because toleration of opinions is not properly a question of religion, it may be a question of policy, and although a man may be a good Christian, though he believe an error not fundamental, and not directly or evidently impious; yet his opinion may accidentally disturb the public peace, through the over-activeness of the persons and the confidence of their belief, and the appearance of their appendent necessity; and therefore toleration of differing persuasions in these cases is to be considered upon political grounds, and is just so to be admitted or denied as the opinions or toleration of them may consist with the public and necessary ends of government."¹ Taylor indeed was careful not to give a handle to those who would use his admission to establish a right of constant interference. "As," he proceeded, "Christian Princes must look to the interests of their government, so especially must they consider the interests of Christianity, and not call every redargution or modest discovery of an established error by the name of disturbance of the peace." Yet for all his warnings it was probable that those who had power in their hands would fix the limits of State interference in accordance with their fears.

Want of a
sense of
security.

Only those governments which have a sense of their own security will grant liberty of association as well as liberty of opinion, and it was the want of this sense of security which made complete toleration impossible in the crisis through which the nation was passing. Charles, it is said, expressed his dissatisfaction with Taylor's argument,² and though his own mind was constitutionally hostile to the very notion of tolera-

Charles
disap-
proves of
Taylor's
argument.

¹ *Lib. of Prophesying*, § 16.

² *Warwick's Memoirs* (ed. 1702), 301.

tion, some of his dislike of the reasoning by which it was supported may fairly be attributed to his knowledge that those who had been most hostile to his religious belief had also been most hostile to his method of government.

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It was not Charles alone who hesitated to abandon control over opinions which might shake the foundations of the State. Up to this time, at least, Parliament had shown no indication of a desire to tolerate religious opinions similar to those which were professed by Taylor. It had hunted out from the parishes every clergyman who opposed the Puritan teaching, and early in the war it had hunted them out from the University of Cambridge. If England was to be kept steady to the Puritan cause, her religious teachers must be Puritan, and that which had been done in Cambridge must be done in Oxford as well.

Intolerance of
Parliament.

Yet for nearly a year after the capitulation of Oxford the University had been left to recover itself as best it might from the distractions of the evil days when the colleges had been crowded with soldiers and courtiers, and when the few scholars who remained thought more of the drill-sergeant than of their books. The time of Parliament was fully occupied with other matters, and it was not till May 1, 1647, that an Ordinance was issued appointing twenty-four persons to visit and reform the University in which the principles instilled into it by Laud were completely predominant, though a Puritan minority was still to be found in the Colleges.¹ The chair-

1646-1647
The
Universit
of Oxford
after the
capitula-
tion.

1647
May 1.
Ordinance
for its
visitation.

¹ The story of this visitation is told in a spirit hostile to the Visitors in Wood's *Annals*, and has been retold with admirable impartiality by Professor Burrows in his introduction to *The Visitors' Register* (Camd. Soc.).

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Sir
Nathaniel
Brent.Francis
Cheynell.Committee
of Lords
and Com-
mons.A day fixed
for the
visitation.June 1.
The
University
declares
for resist-
ance.*The Judg-
ment of
the Uni-
versity of
Oxford.*

man of the visiting commissioners was Sir Nathaniel Brent, Warden of Merton, who after conducting, as Laud's Vicar-General, the Archbishop's Metropolitan Visitation, had changed his principles with the change of times, and now stood forward to destroy what he had once built up, and to build up what he had once destroyed. Those of his colleagues who interested themselves personally in the visitation were mostly Presbyterian clergymen, amongst whom Francis Cheynell, the fanatical antagonist of Chillingworth,¹ was perhaps the most conspicuous. The Visitors were to act under the direction of a large committee of Lords and Commons, of which Francis Rous, a Puritan of the Puritans, was the chairman.

Before long, the Visitors gave notice to the University to meet them in the Convocation House, between the hours of nine and eleven on June 4, probably expecting that the Vice-Chancellor and the Convocation would make no difficulty in submitting to their authority. They little knew the temper which prevailed at Oxford. A Convocation, held on June 1, resolved to hold out against the Visitors to the uttermost. A delegacy was appointed to guard the interests of the University, and a statement of reasons in defence of the course adopted was accepted with unanimity. This statement, afterwards known as *The Judgment of the University of Oxford*, had been drawn up by Robert Sanderson, and it argumentatively condemned the Covenant, the Negative Oath, and the Ordinances for Church discipline and worship. Its importance lay in the firmness with which it connected the monarchical system in the State with the ecclesiastical system which

¹ See vol. i. 331.

had, before the late convulsions, prevailed in the Church of England.¹

Before the day fixed for the meeting of Convocation to receive the Puritan intruders, events took place which delayed their arrival. Joyce passed through Oxford on his way to Holmby, and his passage was followed by a fight in the High Street over the treasure which had been sent for the soldiers' pay.² Accordingly the Visitors, fearing to trust themselves amongst a mutinous garrison, delayed their arrival in Oxford till the morning of the 4th. They proceeded to St. Mary's, where one of the number preached at so inordinate a length, that before they could reach the Convocation House the last stroke of eleven had sounded. The time mentioned in their summons having thus elapsed, the Vice-Chancellor, Dr. Samuel Fell, Dean of Christchurch, dissolved the House in literal obedience to their orders. As the throng poured out the two processions met face to face. "Room for Mr. Vice-Chancellor!" shouted the Bedell, and the Visitors, as was long remembered with glee in the University, shrank aside to allow those very men whose conduct they had come to arraign to pass in triumph. "Good morrow, gentlemen!" said Fell, with polite sarcasm, as he swept by, "'tis past eleven o'clock."

In face of a determined opposition the Visitors were left without Parliamentary support. The day on which they were baffled by Fell was that on which the King was removed from Holmby, and for nearly three months nothing was done at Westminster to enable them to resist the successful efforts of the University authorities to obstruct their pro-

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Disturb-
ances in
Oxford.

June 4-
Arrival
of the
Visitors.

Their
visitation
abortive.

July-Aug.
Parlia-
mentary
support
withheld.

¹ *Judicium Universitatis Oxoniensis.*

² See p. 88.

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ceedings. It is most improbable that the neglect of the Houses to supply their Visitors with additional powers was purely accidental, and it can hardly be wrong to trace the cause of it to the growing influence of the army, and to the hope which the military leaders entertained of settling the institutions of Church and State on some basis which would not involve the complete submission of either religious party. They knew that the task they had undertaken was difficult, but how difficult it was they could not know. They had not merely to draw up a constitutional scheme which both King and Parliament could accept, they had to introduce the spirit of compromise into the hearts of King and Parliament alike, and that spirit was not likely to be found in men who were still angrily battling for their rights. It needed a complete victory on one side or the other to give that sense of established strength to the conquerors which would alone permit them to concede freedom to the vanquished.

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CHAPTER LII.

THE HEADS OF THE PROPOSALS.

ON July 6, when Charles was first settled at Caversham, Bellièvre, naturally anxious to contribute to his restoration, set out to learn his intentions and those of the army. On the 8th he had a long conference with Charles. On the 9th he received a visit from Fairfax and Cromwell, and saw the King again on the 10th. On the 11th he returned the visits of the officers, going back to London on the following day.¹ It was doubtless on this occasion that Bellièvre, apparently after sounding Cromwell as to his ambitious aims, received the memorable reply: "No one rises so high as he who knows not whither he is going."² In these words Cromwell revealed the secret of his life, the refusal to adopt any definitely premeditated plan of action, and the resolution to treat each occurrence as it arose in the light vouchsafed to him when the need of action was felt.

To Bellièvre, Fairfax and Cromwell gave assurances that they were not only in favour of a re-

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July 8-11.
Bellièvre's
confer-
ences.

His con-
versation
with
Cromwell.

Offers of
toleration.

¹ Newsletter, July $\frac{16}{28}$, *Roman Transcripts*, R.O.

² De Retz (*Mémoires*, ed. 1859, iii. 242), who heard this from Bellièvre, characteristically added that he then knew Cromwell to have been a fool. No date is given to the story, but this is by far the most likely time for the occurrence to have taken place. Bellièvre's despatches only mention one other possible meeting with Cromwell. At all events, it cannot have taken place earlier than July 9 or later than October in this year when Bellièvre left England.

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stricted toleration for Protestants, but were even ready to tolerate the Roman Catholic worship, no doubt—though our informant in writing to Rome does no more than state the bare fact—under conditions of privacy such as had been agreed upon in former engagements by James and Charles.¹

Bellièvre's
judgment
of the
King.

If Bellièvre was somewhat puzzled as to the sincerity of those who showed such unexpected liberality,² he was staggered at the apparent hopelessness of fixing the King to any decided policy. In his correspondence with Mazarin, he remarked that Charles might have had the English army on his side if he had frankly accepted its proposal; and that he might have had the Scottish army on his side if he had only allowed it to act.³ No word spoken by Charles reveals his inherent incapacity for understanding the characters and feelings of the men with whom he was dealing more than his request that Bellièvre should convey to Parliament his wish that Ormond and Digby should retain their authority in Ireland till he had come to terms with the army.⁴

A message
about
Ireland.

Neither Fairfax nor Cromwell had as yet had experience of Charles's peculiar qualities as a negotiator, but they felt their need of an intermediary, who had more of the King's confidence than they could possibly gain, and their thoughts fell on Sir John Berkeley, who had been governor of Exeter in the war time, and had honourably stood aloof from the

Fairfax
and Crom-
well send
for Sir
John
Berkeley,

¹ Bellièvre on his return told the writer of the Newsletters sent to Rome to assure his Holiness 'che quanto al punto della nostra religione, i capi dell' armata li hanno dato parola che consentiranno al libero essercitio di quella per tutti li stati.' Newsletter, July 1st, *Roman Transcripts*, R.O.

² *Ib.*

³ Bellièvre to Mazarin, July 1st, 1st, 1st, *R.O. Transcripts*.

⁴ Newsletter, July 2nd, *Roman Transcripts*, R.O.

misdeeds of the Gorings and the Grenvilles by whom the name of Royalist had been disgraced in the west. Cromwell no doubt remembered that when Exeter surrendered, Berkeley had expressed to Lambert an opinion that the Independents were better qualified than the Presbyterians to restore 'both King and people to their just and ancient rights.' Singularly enough Berkeley had already, before Cromwell's communication could reach him, been despatched by the Queen to England to ascertain the real intentions of the army towards her husband.¹

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who is
already on
the way.

Thus doubly qualified for the part of mediator Berkeley arrived in England. In the second week in July he was at the head-quarters at Reading, where Cromwell promptly assured him that the army wished for no more 'than to have leave to live as subjects ought to do and to preserve their consciences,' and more than this, 'that they thought no man could enjoy their estates quietly without the King had his rights.' On the following day Berkeley saw Charles, who, much to his surprise, told him that he distrusted the whole army, with the single exception of Major Huntington, an officer who had lately been deep in Cromwell's confidence. The reason given by Charles for his distrust of all the other officers was that they had been backward in asking him for personal favours.² The whole secret of the failure of the negotiations on which Cromwell was about to enter is written in these words.

July 12.
Berkeley
at Reading.Cromwell's
declaration
to him.Berkeley's
interview
with
Charles.

In vain Berkeley urged Charles to keep on good terms with the officers, if only with the object of dis-

Berkeley's
advice.

¹ Berkeley's *Memoirs*, 3-10. These have, as is well known, been incorporated in Ludlow's *Memoirs*, which are, therefore, not to be quoted in these matters as an original authority.

² *Ib.* 16.

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Berkeley
convinced
of the
honesty of
Cromwell's
intentions.

covering their intentions. Charles would have none of his advice, and Berkeley, modestly attributing this rebuff to his own insufficiency, expressed a hope that Ashburnham, who, as he knew, was soon to follow in his footsteps, might succeed better than himself.¹

Meanwhile Berkeley was engaged in probing the reality of Cromwell's friendliness. From all that he heard he came to the conclusion that both Cromwell and Ireton were genuinely desirous of coming to an agreement with the King, and that even those of the Agitators who distrusted Cromwell professed their willingness to support him as long as he was honestly striving to lay the foundations of a peaceful settlement.²

July 15.
Charles
sees his
children.

Nothing, in fact, which the army could do to create a favourable impression in Charles's mind was left undone. He had been already allowed to avail himself of the ministrations of his chaplains, and, on July 15, the insistency of Fairfax wrung from the reluctant Houses an order permitting him to receive a visit from those of his children who were still in the custody of Parliament, James, Elizabeth, and Henry. According to the terms of the permission given, Charles was to have the children with him at Caversham for two days. He rode over to Maidenhead to meet them on their way. Cromwell, who was himself a father, afterwards recounted to Berkeley, with tears flowing from his eyes, the particulars of the affecting scene of which he had been a witness. His estimate of Charles as a politician was, for the time at least, raised by the sight of his tenderness as a father. The King, he assured Berkeley, 'was the uprightest and most conscientious

Cromwell
witnesses
the meet-
ing,and speaks
highly of
the King.¹ Berkeley's *Memoirs*, 17.² *Ib.* 24.

man of his three kingdoms.' The Independents, added Cromwell, were under infinite obligations to him for having rejected 'the Scots' propositions at Newcastle, which his Majesty's interest seemed to invite him to.'

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Cromwell had thus singled out the higher side of Charles's character, his adherence to his convictions even when they came into collision with his interests. Yet he was not blind to his weakness. He wished, he said, that the King would be 'more frank,' and it was to be regretted that he had tied himself 'so strictly to narrow maxims.' Cromwell then proceeded to express a hope that Ireton, upon whom had fallen the duty of preparing the terms which were to be offered to the King in the name of the army, would be as conciliatory as possible, and that no time would be lost, lest the army should change its mind and let slip the chance of an accommodation.¹

His judgment of Charles's character.

He hopes that the terms offered will soon be ready.

In revealing these conversations Berkeley unconsciously gives the key to the charge of hypocrisy which was already coiling round Cromwell. One of the Agitators assured Berkeley that 'Cromwell resolved to prosecute his ambitious ends through all means whatsoever, and did not only dissemble, but really change his way to those ends; and when he thought the Parliament would make his fortune, resigned himself totally to them, even to the disbanding of the army, before it was paid.'² When the Presbyterians prevailed, he took the Covenant. When he quitted the Parliament, his chief depend-

Charges of hypocrisy against Cromwell.
Opinion of an Agitator.

¹ Berkeley's *Memoirs*, 26.

² Another piece of incidental evidence against the theory that Cromwell had been working underhand with the Agitators in April and May.

Opinion of
a Presby-
terian.

ence was on the army, which he endeavoured by all means to keep in unity, and if he could not bring it to his sense, rather than suffer any division, went over himself and carried his friends with him into that very way the army did choose, and that faster than any in it.’¹

The charge brought against Cromwell by the Presbyterians was precisely the same. “Did not Cromwell,” asks one of them in an appeal to the army, “your great ringleader into disobedience, solemnly protest and promise upon his life and honour, many times and oft in the House of Commons, that the army should disband and lay down their arms at their door whenever the House demanded them? Now, whether your papers agree with his promise the world will witness. It seems he can take that liberty of conscience with the Papists to promote the Catholic cause . . . by right means or wrong, by truth or falsehood. This palpable breach of Cromwell’s engagement makes all indifferent men believe that this promise of obedience was only made that your purpose of disobedience might be the less suspected, and the practice of it the more easily promoted. Is not this like the practice of Garnet the Jesuit, who . . . did lay his commands on the Papists to obey their king and keep themselves quiet; and all was that the plot might not be suspected? If Cromwell follow Garnet’s steps, I would have him take heed of Garnet’s end.”²

There is nothing surprising in the readiness of men, on the evidence before them, to come to the conclusion that Cromwell, in the sudden change of

¹ Berkeley’s *Memoirs*, 25.

² *Works of Darkness brought to Light*, E. 399, 36. Thomason’s date of publication is July 23. The writer’s capacity as a judge of Cromwell’s character may be gathered from the fact that he charges him with ‘lasciviousness.’

front which he had undoubtedly made, had been actuated simply by regard to his personal interests. The only way in which he could meet the charge was to tell the whole truth, and to explain publicly the effect which his discovery of the Presbyterians' intrigue with the Scots had had on his course of action. It was the very last thing that Cromwell was likely to do. "If," he said a few days later of an officer's complaint that libels had been printed against the army, "upon his apprehensions, or any man's else, we shall quarrel with every dog in the street that barks at us, and suffer the kingdom to be lost with such a fantastical thing!"¹ It is possible, too, that on this occasion Cromwell's silence is to some extent accounted for by a reluctance to irritate the Scots and the French by revealing their intrigues.

It was not merely on the forces which the eleven members had attempted to raise in London that Cromwell and his associates kept a watchful eye in the first week of July. They had then strong reason to believe that Poyntz was prepared to place the army of the Northern Association at the disposal of the Scottish invaders, and it was certain that he was himself strongly hostile to their own proceedings.² His soldiers, however, were still dissatisfied, as, although the Houses had voted 10,000*l.* in payment of their arrears,³ the money had never been sent. Emissaries from Fairfax's army were again busy amongst them, and on July 3 Poyntz wrote that his men were following the example of the main army by choosing Agitators, and were clamouring to be incorporated with it, in the hope that they would

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Danger
from
Poyntz.Deter-
mination
to remove
him.July 3.
Poyntz's
complaints.¹ *Clarke Papers*, i. 205.² Articles against Poyntz, *ib.* i. 167.³ See p. 127.

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July 5.
A meeting
at Pontefract.July 8.
Poyntz
captured
and sent to
Reading.Attitude
of the
eleven
members.July 6.
Articles
against
them.

thereby receive their pay more punctually.¹ On the 5th the soldiers held a meeting at Pontefract, at which they addressed a message to Fairfax, begging him to mediate with Parliament on their behalf.² On the 8th the troops quartered at York broke into mutiny, dragged Poyntz out of his lodgings without giving him time to put on his boots, set him on horseback, and carried him off to Pontefract.³ From Pontefract he was sent to Reading,⁴ and though Fairfax liberated him almost as soon as he arrived,⁵ he had no longer an army at his command, and he therefore ceased to be dangerous.

The news of Poyntz's capture was the more welcome at Reading as the army was still anxious about the course of events in London. The eleven members had objected to allow the charges brought against them to be suspended over their heads till a settlement of public affairs had been reached,⁶ and had called for an immediate trial. Accordingly on July 6 the accusation against them was presented to the House of Commons. It consisted of twenty-five articles, of which the most important alleged that they had constantly met at 'Lady Carlisle's lodgings at Whitehall and in other places, with divers other persons disaffected to the State, for holding correspondence with the Queen . . . with intent to put conditions on the Parliament, and to bring in the

¹ Poyntz to Lenthall, July 3, Cary's *Memorials of the Civil War*, i. 282.

² *Rushw.* vi. 622.

³ Poyntz to Lenthall, July 9; Elizabeth Poyntz to Lenthall, July 9, Cary's *Mem. of the Civil War*, i. 298, 300. The lady complained that her husband was 'carried away in his slippers, not suffered to express any conjugal comfort or courtesy to me his wife, and what will be the doom they will pass on him, I cannot tell.'

⁴ Poyntz arrived at Reading on the 15th, *Perf. Diurnal*, E. 518, 6.

⁵ Bell's *Mem. of the Civil War*, i. 370.

⁶ See p. 131.

King on their own terms.' They had further 'assured the Queen 40,000*l. per annum*,' as the price of her assistance. Moreover, six of them, Holles, Stapleton, Lewis, Clotworthy, Waller, and Massey, had 'invited the Scots and other foreign forces to come into the kingdom in a hostile manner,' and had also advised the Queen to send her son to Scotland, 'to march into this kingdom at the head of an army.' In pursuance of this design, all the eleven had listed soldiers in order 'to levy and raise a new war in this kingdom,' and had encouraged the Reformadoes to raise tumults round the Parliament House.¹

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The truth of the whole charge was categorically denied by those who were most concerned to establish its falsehood, but though it is likely enough that, if an independent investigation had taken place, many inaccuracies would have been detected in it, its substantial truth hardly admits of question.² Nor can the army be fairly accused of ripping up old sores to destroy a fallen enemy. Truly or falsely, the soldiers believed that the danger of a conjunction between an army from Scotland and the levies in the City had not altogether passed away. On July 6, the day on which the articles against the eleven members were handed in, a member of the House of Commons sent information to Reading that there were at least 16,000 men enlisted in and about the City, and that there was a talk of sending some of them into Kent to receive a Scottish army expected by sea, as well as of the apprentices coming to Westminster to declare their resolution to have the King in London whether

Its substantial truth.

The danger not past.

Information from London.

¹ *C.J.* v. 236; *A Particular Charge*, E. 399, 17.

² *A Full Vindication and Answer*, E. 398, 17. The story about the invitation to the Scots, for instance, was not invented, and that Dunfermline was sent to open communications with the Queen is also beyond doubt.

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the army consented or not.¹ Much of this information was doubtless mere gossip, but it was gossip founded on knowledge of existing danger, and it can hardly be a matter of surprise that, on the receipt of this intelligence, the army forwarded to Westminster a peremptory demand for the actual disbandment of the Reformadoes.²

July 9.
An Ordinance for
the expulsion of
the Reformadoes.

July 13.
Members
to be
expelled.

The Houses, as far as lay in their power, complied with this demand, which, indeed, they were too weak to resist. On the 9th they passed an Ordinance for the expulsion of the Reformadoes from London, and on the 13th the Commons, in accordance with another requirement of the army, voted that those of its members who had in any way favoured the King's cause since the beginning of the war should be expelled.³

The
London
apprentices
hostile to
the Independents.

It was more easy to pass an Ordinance against the Reformadoes than to carry it into execution. On the 13th the London apprentices appeared on the scene. They were hostile to the Independents, partly because they resented their interference with the municipal control of the militia, partly also because, in the heyday of vigorous youth, they regarded the eccentricities of the tub-preacher as a fair object of derision. Of late, too, they were beginning to feel themselves bound to the Presbyterians by the tie of self-interest. In February they had petitioned for the establishment of public holidays for 'lawful recreations for the needful refreshments of their spirits, without which life itself is unpleasant and an intolerable burden,' in lieu of the festivals of the Church recently abolished.⁴ For some time no notice had

Feb. 9.
Their
petition
for
holidays.

¹ Information by Sir F. Pile, July 6, *Clarke Papers*, i. 152.

² *L.J.* ix. 320.

³ *Ib.* ix. 322; *C.J.* v. 238, 244.

⁴ *L.J.* viii. 715.

been taken of their demands, and though, on April 20, the Commons directed the preparation of an Ordinance to give effect to them,¹ weeks were allowed to pass without anything being done.

It was not indeed till the Presbyterians were preparing to measure swords with the army that they recognised the danger of alienating the apprentices. On July 8 an Ordinance was passed appointing a holiday to be held on the second Tuesday in each month, on which 'all scholars, apprentices, and servants' were to have such time for recreation as their masters could 'conveniently spare from their extraordinary and necessary services and occasions.' In the case of dispute arising out of the vague wording of this part of the Ordinance, appeal was to be made to the nearest justice of the peace. It is to be supposed that the apprentices complained of the requirement to obtain their masters' permission before exercising their new rights, as a new Ordinance was issued on the 11th, in which it entirely disappeared. The apprentices were still liable to be kept at home in cases of urgent necessity, but the burden of proof that this existed was to be thrown on the master, who would no longer be entitled simply to refuse leave without giving a reason.²

The first of these monthly holidays fell on July 13, and the lads, grateful for the concession, celebrated it by presenting to the Houses a petition calling for the suppression of conventicles, the restoration of the King, the maintenance of the Covenant, and the disbandment of the army.³ It is possible that this ill-timed support was not altogether welcome to the

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April 20.
An Ordinance to be brought in.

July 8.
Ordinance for a monthly holiday.

July 11.
A second Ordinance.

July 13.
The first holiday.

An apprentices' petition

¹ *C.J.* v. 148.

² *L.J.* ix. 248-255; *C.J.* v. 202, 206.

³ *L.J.* ix. 330; *C.J.* v. 243.

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Irritation
in the
army.July 16.
Expecta-
tion of a
Scottish
invasion.

Presbyterians, and it undoubtedly roused the indignation of the army, especially as, in spite of the Parliamentary Ordinance, the Reformadoes still swarmed in the City. At the same time the expectation of a Scottish invasion took so firm a hold on the minds of the soldiers that on July 16 Fairfax spoke of it to the King.¹ Moreover, it was known that Colonel Doyley, who had formerly commanded Fairfax's lifeguard, had presented himself at Bristol without any authorisation from the commander-in-chief, and had demanded the submission of the garrison.²

The
Agitators
wish to
march on
London.Opposition
of Crom-
well and
Ireton.

The first result of these alarming rumours was that the Agitators appeared on the 16th before the Army Council with a demand for an immediate march on London.³ They found much support amongst the officers, but they were strenuously opposed by Cromwell and Ireton. Cromwell, indeed, was ready to admit that obedience to Parliament had its limits, but he argued strongly that force ought only to be employed in the last resort, and that the time for employing it had not yet arrived. There was, he thought, still room for amicable negotiation.⁴ Ireton, to whom, together with Lambert, had been entrusted the preparation of the proposals to be presented to the King,⁵ as it was hoped, with the good-will of Parliament, was against the use of force lest it should hinder a good understanding with the Houses. "Whatsoever we get by a treaty," said Cromwell, "it will be firm and durable, it will be conveyed over to posterity as that that will be the

¹ Letter of Intelligence, July 19, *Clarendon MSS.* 2,556.² Fairfax to Lenthall, July 16, *Clarke Papers*, i. 162.³ Representation of the Agitators, July 16, *ib.* i. 170.⁴ *Ib.* i. 184.⁵ *Ib.* i. 197, 202.

greatest honour to us that ever poor creatures had, that we may obtain such things as these are that we are now about : and it will have this in it too, that whatsoever is granted in that way, it will have firmness in it. We shall avoid that great objection that will lie against us that we have got things of the Parliament by force, and we know what it is to have that stain lie upon us.”¹

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“For my own part,” said Cromwell, “perhaps I have as few extravagant thoughts . . . of obtaining great things from Parliament as most men ; yet it hath been in most of our thoughts that this Parliament might be a reformed and purged Parliament, that we might see men looking at public and common interests only.”² Now that the eleven had left their seats, the friends of the army had been gaining ground, and it would be doing them an ill service to bring an armed soldiery to their aid. “That which you have by force,” he added, later in the course of the discussion, “I look upon it as nothing. I do not know that force is to be used except we cannot get what is for the good of the kingdom without force. . . . I wish we may respite our determination till . . . four or five days be over ; till we see how things will be.”³ At last Cromwell closed the discussion by an argument which admitted no reply. “If,” he said, decidedly, “you be in the right, and I in the wrong ; if we be divided, I doubt we shall all be in the wrong. . . . The question is singly this : whether or no we shall not in a positive way desire the answer to those things before we march towards London, when perhaps we may have the same things in the time that we can

Cromwell
not
sanguine,but has
hopes.A final
argument¹ *Clarke Papers*, i. 185.² *Ib.* i. 192.³ *Ib.* i. 202, 203.

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Cromwell
has his
way.

Presby-
terians
abandon
the
struggle.

July 19.
Fairfax to
command
all the
forces.

July 21.
Deserters
disbanded.

July 20.
The eleven
members
ask leave
to go
abroad.

march. Here is the strictness of the question.”¹ Cromwell, as might be expected, had his way, and the demands of the soldiers were transmitted to Westminster, unaccompanied by any threatening demonstration.

As Cromwell had judged, enough had been done to secure the acceptance of the requirements of the army. On the 16th and on the following days a considerable number of Presbyterian members asked for leave of absence and abandoned the struggle.² On the 19th the Houses placed under Fairfax’s command all the forces in their pay in England and Wales, and on the 21st they ordered the disbandment of all deserters from his army.³ By the final disappearance of these men the army lost those disintegrating elements which had prevented its cohesion as a thoroughly Independent body.

The first result of the vote which placed all military authority in the hands of Fairfax, was that the eleven members, perceiving that their designs were now incapable of accomplishment, asked and obtained leave to go beyond sea, and also permission

¹ *Clarke Papers*, i. 209. The body in which this discussion took place is in this report spoken of as a Council of War. It was, however, properly a full army council, as Agitators were present. The phrase council of war was used indiscriminately. “Yesterday,” we are told of this very council, “there was a great Council of War called . . . consisting of officers besides Agitators; who now, in prudence we admit to debate, and it is not more than necessary they should be, considering the influence they have upon the soldiers, and the officers we hope have such an interest in them, as if any of more fierce disposition amongst them moderate not their reason, the officers can command it; and I can assure you it is the singularest part of wisdom in the General and the officers so to carry themselves considering the present temper of the army.” Letter from the army, July 17, *ib.* i. 214.

² *C.J.* v. 245; Letter of Intelligence, July 22, *Clarendon MSS.* 2,559.

³ *L.J.* ix. 338, 342.

to postpone their defence for six months, although, on the 28th, they had sent in a preliminary answer to the charges against them.¹

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In the army the news that the Houses were in a more conciliatory temper gave lively satisfaction. On the 18th the Parliamentary commissioners at Reading were informed that the proposed terms of accommodation would be completed in a few days. On the 19th the army forwarded to the Parliament four requests accompanied with an announcement that, if these were granted, nothing more would be asked. Prisoners held in captivity without having been subjected to a lawful trial were to be set at liberty; a declaration was to be issued against the invitation of foreign troops; the army was to be constantly paid; and the old Parliamentary Committee was to take the place of the new City Committee in the command of the London militia.² So satisfied was Fairfax that all danger was at an end, that, on the 22nd, when he removed the head-quarters to Bedford, he suffered his cavalry to be scattered over a stretch of country which reached from Bristol to Newark.³

Satisfac-
tion in
the army.

July 19.
Four
requests.

July 22.
Removal
of head-
quarters.

Cromwell had done his best, even when violating a constitution which had been equally disregarded by his opponents, to preserve at least an outward respect for Parliamentary forms. Both he and the Presbyterians were anxious to substitute government by discussion for government by the sword; but the way to that consummation was blocked by Charles, with whom government by discussion was impossible.

Cromwell's
attitude.

¹ *C.J.* v. 251; *Rushw.* vi. 628; *A Full Vindication and Answer*, E. 398, 17. This is said to have been drawn up by Prynne. Burgoyne to Sir R. Verney, July 25, *Verney MSS.*

² *L.J.* ix. 339.

³ *A Diary*, E. 400, 22.

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Cromwell and his military allies perceived clearly that the securities with which the Presbyterians thought to bind Charles were utterly inadequate. He was now seeking, with scant prospect of success, to devise other securities which might prove more satisfactory. To gain standing ground for this he had used force to repel threatened force. Unfortunately those who once appeal to force have a tendency to appeal to it again, and it comes to be regarded first as a necessary evil and ultimately as a salutary remedy for public mischiefs. The constitution as it stood in Elizabeth's day had long been broken up, and there was no general agreement as to the principles on which it was to be reconstructed. Every man craved for a peaceful settlement, but, in the midst of the general distraction, they who had the longest swords were able to make their voices heard the loudest.

July 17.
Ireton's
constitu-
tional
scheme
before the
Council of
the Army.

It was now Ireton's turn to try whether he could in reality win the King's assent to some form of real constitutional government. On July 17 his scheme was laid before the Council of the Army, and on the 18th a committee consisting of twelve officers and twelve Agitators, with leave for Cromwell to be present 'when he can,' was named by Fairfax to put it into shape.¹ Though Parliament had not yet been consulted, the King appears to have been allowed to have an inkling of the terms about to be offered to him, and a few changes had been made—too readily as some of the Agitators thought—in consequence of his suggestions.² As the scheme was now prepared

¹ *Clarke Papers*, i. 211, 216.

² According to *Putney Projects*, p. 14 (E. 421, 19), the first draft deprived the King of that negative voice—the right of refusing the royal assent to bills—to which he was so much attached; and had also excluded Royalists from office for ten instead of for five years;

it did not claim to be the draft of a final agreement covering all details. The paper which contained it bore the name of *The Heads of the Proposals*, as if to indicate that it was a mere sketch which was to be filled up in detail hereafter.

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*The Heads
of the
Proposals.*

The plan laid down in this paper for the settlement of Church disputes had at least the merit of originality. The existence of Episcopacy was indirectly admitted, but an Act was to be passed to take away from bishops and all other ecclesiastical officers all coercive jurisdiction extending to any civil penalties, and also to repeal all laws by which the civil magistrate was bound to inflict punishment upon those who lay under ecclesiastical censure. Moreover, there was to be a repeal of all Acts 'enjoyning the use of the Book of Common Prayer, and imposing any penalties for neglect thereof,' as well as of all Acts enforcing attendance at church, or forbidding the holding of religious meetings elsewhere, some fresh provision being made, in lieu of the Recusancy Acts, for the discovery of 'Papists and Popish recusants,' Jesuits and priests. The Covenant, too, was no longer to be enacted.

Their
scheme of
Church
govern-
ment.

The scheme of Ireton was virtually that which was adopted in the Toleration Act of 1689. In 1647 it was too far in advance of the time to be

It is in
advance of
the time.

whilst it asked Charles to pass two Acts, one abolishing Episcopacy, and the other confirming the sale of the bishops' lands. Some of these things may have been mere suggestions made in the Council of the Army. At all events they had disappeared before the draft was submitted to Berkeley to be shown to the King, as he represents Charles as objecting only to three points. "The first was the exception of seven," so it then stood, "not named from pardon; the second, the excluding his party being eligible in the next ensuing Parliament; and the third, that, though there was nothing against the Church government established, yet there was nothing done to assert it." Berkeley's *Memoirs*, 31.

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The
political
scheme.

generally acceptable, even if it had secured the approbation of the King, for whose benefit it had been prepared.

The political concessions demanded were based on principles entirely different from those which pervaded the Propositions of Newcastle. The Presbyterian idea had been to force the Crown to submit to the existing Parliamentary system. The Independent idea was to bring Parliament itself under popular control. Parliament was to indicate a date for its own dissolution, after which it was to be succeeded by biennial parliaments, elected by a reformed constituency in which the franchise was to be exercised by populous towns and districts hitherto unrepresented or under-represented, whilst it was to be taken away from the villages and hamlets, which had been the main strength of the Crown and its Cavalier supporters. These biennial parliaments were not to be dissolved without their own consent till the session had lasted one hundred and twenty days: on the other hand, in no case was the session to continue more than two hundred and forty in the course of the two years of its existence.

A Council
of State.

In this new constitution a prominent place was to be given to the Council of State, of which the members were, in the first instance, to be named by agreement, and were to continue in office for a term not exceeding seven years. As nothing was said about the way in which their successors were to be appointed, it is to be presumed that they were to be nominated by the King. However this may have been, the Council of State was to occupy a more important constitutional position than the old Privy Council, from which every member could be dismissed at the King's pleasure, and by which no business could be

transacted except by his permission. The Council of State, of which the idea was probably taken from the Committee of Both Kingdoms, was to carry on negotiations with foreign Powers, and, subject to the approval of Parliament, to conclude peace or declare war; to superintend the militia during ten years with the approval of Parliament itself when sitting, or of a Parliamentary committee appointed for the purpose in the intervals between the sessions. In case of necessity the King might summon an extraordinary Parliament after one Parliament had been dissolved, and when the obligatory election to another was not yet imminent, but he was only to do this with the consent of the Council of State. Though the direction of the militia was to be for ten years in the hands of the Council of State, its commanders were for the same time to be appointed by Parliament. After that time, if Charles were still living, he might make the appointments with the approval of Parliament or of its committee. The next king was, apparently, both to superintend the militia and to appoint its officers without reference to Parliament, provided that he could obtain the consent of the Council of State.

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The
militia.

The domestic government was to be carried on, as it had been before the war, by royal officials, but those officials were for ten years to be appointed by Parliament and, after that time, by the King out of three candidates nominated by Parliament for every vacancy. To preserve the independence of Parliament, no peer created since May 21, 1642, or created hereafter, was to sit in Parliament without the consent of both Houses, whilst the judicial power of the House of Lords was to be limited by requiring the assent of the House of Commons to its judgments

Domestic
govern-
ment.

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Treatment
of
Royalists.

whenever they affected a commoner. Each member of the House of Commons was to have the right of protest.

If Charles accepted these proposals, his partisans were to be dealt with more leniently than in any of the propositions made by the Houses. Not more than five were to be left to the judgment of Parliament, and the compositions enacted from the remainder were to be lowered. No Royalist, however, was either to hold office during the next five years without the consent of Parliament or the Council of State, or to sit in either House till the second biennial Parliament had come to an end. Other clauses there were, but of less importance, and a list of desirable reforms was added in the hope that the existing Parliament might find time to pass them without prolonging its sittings unreasonably.¹

Constitu-
tional
develop-
ments anti-
cipated.

In their main lines *The Heads of the Proposals* anticipated later constitutional developments. They substituted the influence of the Crown for its direct authority, and they brought the House of Commons more under the control of the constituencies than it had been hitherto. In other words, they were pervaded with jealousy of the reigning King, and with jealousy of the existing Parliament, though it was on the approval of the reigning King and of the existing Parliament that those who framed them counted to give legal authority to their project. Unless, however, the consent they required were willingly given they would have laboured in vain. The first requisite of successful government is confidence between the ruler and the ruled. Such confidence could never be replaced by a series of restrictions which were well enough on paper, but which Charles,

¹ The Heads of the Proposals, *Const. Doc.* 232.

if he ever consented to be bound by them, would seek every opportunity to explain away.

That Charles would be hostile to *The Heads of the Proposals* might easily be foreseen. Not only did they impose permanent restrictions on that authority which he still believed it possible to preserve intact, but there was a marked contrast between their elaborate stipulations and the vague conditions which had been offered to him upon his arrival at Newmarket.¹ The change, no doubt, might be accounted for in part by the necessary contrast between terms verbally expressed and terms set down in writing; but it was also owing to the lesson taught by Charles's refusal to accept the original proposal. The army now knew that it had an opponent to bind down, and not a friend with whom it might co-operate. Suspicion, absent in June, had entered in July into the minds of the framers of the present scheme. Unfortunately Charles sought the cause of this suspicion in others rather than in himself. In combating the proposals of the army he had no difficulty in persuading himself that they were supported not by the army at large, but simply by a few ambitious chiefs.

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Charles
hostile
to them.

¹ "Pendendo queste negotiationi secretamente l' armata dava al Rè propositioni contrarie alla sua autorità, et alla libertà del popolo, pregiuditalissime a se medesimo et a' suoi successori, le quali S. M., se bene nelle loro mano, non ha mai voluto passare, non le desiderando ancora tutti quali dell' armata, ma solamente li capi di quella come ancora li Capi degli Independenti." Newsletter, ^{July 30}_{Aug. 9}, *Roman Transcripts*, R.O.

CHAPTER LIII.

THE MILITARY OCCUPATION OF LONDON.

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July 22.
Charles's
interview
with
Lauder-
dale.

CHARLES's usual habit when dissatisfied with one party was to turn to another, and on July 22, being not well pleased with *The Heads of the Proposals*, he graciously received Lauderdale at Latimers, where he was resting for the night on his way to Woburn. The interview resulted in Charles offering to write a letter which was to be carried to Edinburgh by Cheisley, the secretary of the Scottish commissioners in London. Consequently, Lauderdale returned in good spirits under the impression that this letter would open the way to the long-talked-of invasion of England by a Scottish army.¹ Lauderdale, strongly as from political motives he had hitherto sided with the Presbyterian party, had little sympathy with the Presbyterian zealots of his own country, and it is likely enough that he under-estimated the difficulty of obtaining the acceptance in Scotland of such half-

¹ "Par les nouvelles que j'eus avant-hyer, du Roy de la Grande Bretagne, et par celles que j'en ay encores aujourd'huy receues, il commence à s'appercevoir de ce dont nous l'advertissons il y a bien longtemps, que les Independants establisant leur pouvoir, non seulement mesprisent le sien, mais aussy s'efforcent de le ruynier absolument: si plustost il eust reconnu ceste vérité, plus aysement il y auroit pourveu qu'il ne pourra cy après. Par le retour du Comte de Lauderdale . . . qui le doibt aujourd'huy veoir à Latimer, nous sçaurons demain comment il aïra receu les offres qu'il a ordre de luy faire de la part du dict Royaulme." Bellièvre to Mazarin, ^{July 22,} ^{Aug. 1,} *R.O. Transcripts.*

"Le Comte de Lauderdale est revenu d'auprez de luy assez satisfait

hearted concessions as Charles was likely to make in matters of religion.

If, as can hardly be doubted, Lauderdale was acting in combination with the eleven members,¹ who, in spite of leave of absence asked and obtained, were still lingering in England, it would have been prudent in the Presbyterian leaders to await the reception of Charles's letter in Scotland before raising a fresh agitation in London. Either, however, their impatience was too great, or the turbulent elements in the City were no longer under their control. On the 21st, the day before Lauderdale's interview with the King, a crowd of apprentices, watermen, Reformadoes, and others streamed into Skinners' Hall, where they signed a Solemn Engagement, in virtue of which they were to maintain the Covenant, and to procure the King's restoration to power on the basis of the letter of May 12,² in which Charles had abandoned Episcopacy for three years and the militia for ten.³

It was doubtless on the municipal independence of the City that the hearts of the supporters of this Engagement were mainly set, but after the withdrawal of the eleven members, they could no longer count on the support of the Commons. On the 22nd the proposal of the army that the control of the City militia should be restored to the old Parliamentary Committee was accepted in a thin House by a majority of 77 to 46, and on the following day this vote was

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The Pres-
byterians
and the
City.

July 21.
The
Solemn
Engage-
ment of
the City.

July 22.
The
Commons
side with
the army,

July 23.
as do the
Lords.

de ce qu'il luy a promis de donner une lettre de creance à Chisley . . . pour aller dire de sa part tant au conseil d'Escosse qu'à l'Assemblée des ministres qui se tiendra à Edimburg le 15^{me} de ce mois," *i.e.* Aug. 15, " beaucoup de choses qui donneront aux Escossais le pretexte qu'ils cherchent avec tant d'ardeur d'entrer encore en Angleterre." Bellièvre to Mazarin, ^{July 29}_{Aug. 8}, *RO. Transcripts*.

¹ For his connection with them, see Bamfield's *Apology*, 31.

² See p. 69.

³ A Solemn Engagement, *L.J.* ix. 354.

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July 24.

The
Solemn
Engage-
ment de-
nounced.
Feeling in
the army.

confirmed by the Lords. On the 24th both Houses joined in denouncing the Solemn Engagement of the City.¹

In appearance at least Parliament and army were of one mind. On July 23 the army assured the Commons of its readiness to support them in any measures they might take to provide fitting security for the kingdom. The acceptance of the terms indicated in the King's letter of May 12 meant to the soldiers the abandonment of all the principles at issue in the great struggle.

Whether those who organised the movement in the City were supported by any of the eleven members or not,² it is quite certain that they had the municipal authorities at their backs. On the 26th a petition was presented to both Houses by the Common Council, asking for the repeal of the Ordinance by which the old Parliamentary Committee of Militia had been re-established in the City.³ The deputation bringing it was followed by an excited crowd of apprentices and others, clamouring for a favourable answer. The Lords—only nine peers were in attendance—replied evasively, but being

July 26.
A City
petition.A mob at
West-
minster.

¹ *C.J.* v. 254, 256; *L.J.* ix. 346, 354.

² "Whereupon the Earls of Manchester, Holland, Lauderdale—who, though not of the Parliament, but one of the Scots' commissioners, had great credit in the City—my Lord Willoughby of Parham, my Lord Holles" (this title was borne by him when this was written) "Sir Philip Stapleton, Sir William Waller, Major General Massey, Major General Browne, all which, and divers more who had great influence in the City, judged it now the critical season to engage it to petition Parliament for the continuance of their militia under the establishment it was." Bamfield's *Apology*. Bamfield, as perhaps was to be expected in a book written so long after the event, is loose as to dates, and goes on to include in the demands made in the City Petition some which were subsequently made by the mob. Waller (*Vindication*, 101-106) admits that he knew of the petition, but says that had nothing to do with the tumults. Holles (*Memoirs*, 153) disclaims knowing anything about either. ³ *L.J.* ix. 356; *C.J.* v. 258.

roughly told that unless they recalled the recent Militia Ordinance and the declaration against the Engagement 'they should never come out,' did as they were bidden, and were then allowed, after adjourning to the 30th, to depart unhurt.

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Submis-
sion of
the Lords.

The turn of the Commons came next. They, too, in vain attempted to take refuge in a dilatory answer. The rioters poured into the lobby, burst open the doors, and from the entrance called upon the members to do as the Lords had done. For six hours the House held out in spite of threats and shouts of "Vote! Vote!" from the boisterous crowd. Outside, men who were discovered to be servants of officers of the army were roughly handled. Their ears and noses were pulled, and they were dragged about amidst mocking cries. Hostile as the City was, the House had no means of restoring order without its aid. Message after message was accordingly despatched to Guildhall, but the Lord Mayor and Aldermen were in no hurry to shorten the troubles of the members, and when at last one of the sheriffs appeared on the scene he was followed by no more than forty halberdiers. Gathering courage from the smallness of this force, the mob pushed on over the floor of the House itself, telling the members, as they had told the peers earlier in the day, that none should stir till the Ordinance and declaration had been repealed. It was eight o'clock in the evening when the members, worn out and exhausted, at last gave way, yielding to pressure which they were no longer able to resist. Having passed the repealing votes, they voted an adjournment, and at last rose to leave the House.

Attack
on the
Commons.

Forced
votes.

The intruders, however, were still unsatisfied. Thrusting Lenthall back into the chair, as Finch had

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July 27.
The
House ad-
journed.Pressure
and
counter-
pressure.July 28.
Prepara-
tions in
the City.July 29.
Fairfax
leaves
Bedford.An alarm
in the City.

been thrust eighteen years before, they insisted he should put to the vote a resolution inviting the King to London. The terrorised House again obeyed orders, after which some members of the Common Council tardily arrived. Finding that all had been done that they desired, they dismissed the mob. The next morning the House, taking example from the Lords, adjourned to the 30th.¹

The independence of a Parliament which had long ceased to represent the nation was by this time a thing of the past. Pressure from the army had been succeeded by pressure from the mob, and moderate men might be excused for thinking that, of the two, the former was to be preferred.

For the present the City stood firm. On the 28th, after attending a course of sermons which lasted from ten o'clock in the morning till five in the afternoon, the Common Council wrote to Fairfax urging him to keep back his forces, and intimating that their own preparation for placing the City in a state of defence 'was no just cause to provoke the soldier.' On the 29th it was known in London that Fairfax had on that morning broken up from Bedford and was marching towards the City. The trained bands were at once sent to man the walls, and orders were given for a general levy of the whole male population capable of bearing arms.² Poyntz had for some time been at liberty,³ and it was now suggested that either he or Massey should be placed in command of the whole of the forces of London and Westminster, which were calculated as amounting

¹ *L.J.* ix. 356; *C.J.* v. 258; *Whitelocke*, 260; Rushworth to Lord Fairfax, July 27, *Bell's Mem. of the Civil War*, ii. 379; Lenthall's *Declaration*, E. 400, 32; Mabbot (?) to —, July 26, *Clarke Papers*, i. 217.

² *Rushw.* vi. 645, 646.

³ See p. 150.

to no less than 30,000 foot and 10,000 horse. To give to this armament a basis of legality, it was proposed that when the Houses met on the 30th, the Commons should recall their absent members, including the impeached eleven, and enter upon a negotiation with the King.¹ In Independent circles it was believed that, in order to ensure the acceptance of these proposals, a far larger mob than that which had broken into the House on the 26th would appear at Westminster on the 30th.² On the other hand, there were rumours abroad amongst the Presbyterians, that when the Houses met they would under the influence of the Independents adjourn themselves for a month,³ in which case it would be impossible to give Parliamentary sanction to the projected armament.

The Independents, at least, had no intention of carrying out the project attributed to them. When the morning of the 30th arrived it was found that the two Speakers, Manchester and Lenthall, together with eight Independent peers and fifty-seven Independent members of the House of Commons, were missing.⁴ That Manchester, who had such strong reasons for bearing a grudge against the Independents, should have been amongst the absentees was significative of the disgust which mob-violence is apt to rouse. For the moment, however, the Presbyterians were masters of both Houses. They chose new Speakers, Lord Willoughby of Parham in the

July 30.
Retreat
of the
Speakers
and the
Independent
members.

Proceed
ings at
West-
minster.

¹ *A continuation of certain . . . passages*, E. 400, 25; *The Perfect Weekly Account*, E. 401, 1; Dr. Denton to Sir R. Verney, July 27, *Verney MSS.*

² Lenthall's *Declaration*, E. 400, 32.

³ *L.J.* ix. 377.

⁴ The evidence on the story that Cromwell and Ireton persuaded Lenthall to go to the army is collected in a note of Mr. Firth's to p. 219 of vol. i. of the *Clarke Papers*.

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Lords and Pelham in the Commons, recalled the eleven members, reconstituted the Committee of Safety, placing Waller and Massey upon it, put themselves under the protection of the militia of the City, now once more under the authority of the new Presbyterian committee, to which they gave power to appoint a commander-in-chief, and, finally, sent orders to Fairfax to abstain from coming within thirty miles of London. These orders they accompanied with an assurance that the City authorities would keep the apprentices under restraint; and that, so far as the apprentices themselves were concerned, it was not to be doubted 'but the sense of so great an offence' as the violation of the privileges of Parliament would 'at last strike their breasts . . . with a detestation of any practices of the like nature for the future.'¹

The
Houses
prepare for
defence.

Fairfax at
Colnbrook.

There could be no doubt that the Presbyterians intended to fight now, if they had the chance. After most of the eleven members had taken their places at Westminster, the Militia Committee named Massey commander of all the forces raised by the City. Time was, however, running short. On the 30th Fairfax established his own head-quarters at Colnbrook. Some of his regiments seized on Tilbury Fort, whilst others crossed the Thames above Westminster, and threatened to march on Gravesend,² and thus to starve out the commerce of London by occupying both banks of the Thames. They actually pushed on to Deptford, where they came to blows with the deserters, four of the latter being slain.³ The strategy which had failed in Charles's hands seemed likely to succeed in the hands of Fairfax.

It may well be believed that neither Fairfax nor

¹ *L.J.* ix. 358; *C.J.* v. 259.

² *The Perfect Weekly Account*, E. 401, 1.

³ *Rushw.* vii. 741.

Cromwell desired to enter London as conquerors. They were coming, they alleged, not as enemies, but as protectors of the true Parliament expelled by the violence of the mob. On their side was peace and order, on the side of their opponents was riot in the streets, and a New Civil War in the land. Yet it was not merely on a restored Parliament that they had based their hopes of a restoration of order. During the days in which their eyes appeared to be exclusively fixed on Westminster, they had not neglected to push on their negotiations with the King, in the hope that they might be able, with no long delay, to announce that a general reconciliation had been effected.

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The army
and the
expelled
members.Continu-
ance of the
negotiation
with the
King.

It was on July 23, before troubles had occurred at Westminster, that *The Heads of the Proposals* in their amended shape¹ were placed in Berkeley's hands to be communicated unofficially to the King. It is probable that the insistence of the army on binding him in constitutional fetters outweighed all gratitude, if indeed he felt any, for their greater tolerance in matters of religion. If the army, said Charles to Berkeley, had had a mind to close with him, they would not have insisted on such hard conditions. Berkeley sensibly replied that he should have had more cause to suspect them if they had asked for less. Charles would not listen to such an argument. The army, he said, 'could not subsist without him.' "I shall see them glad ere long," he added, "to accept more equal terms."²

July 23.
*The Heads
of the
Proposals*
before
Charles,
in an
amended
form.

Berkeley could no longer conceal from himself the failure of his mission. With characteristic modesty he expressed a hope that Ashburnham, when he arrived,³ would be more successful. Ashburnham,

Berkeley
and Ash-
burnham.¹ See p. 158.² Berkeley's *Memoirs*, 30-32.³ See p. 146.

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An appeal
to the
cupidity
of the
generals.

when he arrived, proved himself to have no more insight into the situation than the King himself. Charles actually fancied that he was furthering his own ends by directing Ashburnham and Berkeley to join in appealing to the cupidity of the heads of the army. Fairfax and Cromwell, forsooth, were to be urged 'to fasten their affections to his Majesty's perfect restoration by proffers of advantages to themselves, and by fulfilling their utmost expectations in anything relating to their own interest, or that of any of their friends whom they would involve in the work of his Majesty's re-establishment.'¹

July 28 (?).
Formal
presenta-
tion of *The
Heads
of the
Proposals*.

So were the precious hours in which the army had most need of Charles's concurrence allowed to slip away. When on or about July 28,² *The Heads of the Proposals* were formally presented to him at Woburn by a deputation from the army, he answered peremptorily that he would not have one of his followers exempted from pardon, and that the Church must not only be allowed freedom, but must be positively established by law. The burden of his discourse was "You cannot do without me! You will fall to ruin if I do not sustain you." Berkeley, amazed at his master's indiscretion, attempted to stop the torrent. "Sir," he whispered into Charles's ear, "your Majesty speaks as if you had some secret strength and power that I do not know of; and since your Majesty hath concealed it from me, I wish you had concealed it from these men also."³ The fact was that Charles had lately received encouraging messages from Lauderdale, and was filled with expectation of a triumphant movement in his favour in the City.⁴

Charles's
rash talk.¹ Ashburnham's *Narrative*, ii. 90.² It was whilst the army was still at Bedford, and therefore before July 29.³ Berkeley's *Memoirs*, 33-35.⁴ Bamfield's *Apology*, 32.

At Berkeley's hint, Charles moderated his language; but the effect of his intemperate speech was beyond recall. Rainsborough, the leader of that section of the army which was most adverse to an understanding with the King, hastened from his presence to Bedford, where he spread the news of his rash sayings amongst the soldiers. On the 29th the army broke up from Bedford, in consequence of the serious news from Westminster, and on the following day its irritation was further increased by the intelligence that Lauderdale had arrived at Woburn, and had brought Cheisley with him. As a matter of fact, he had come to receive Charles's last instructions before despatching Cheisley to Scotland on a mission, the object of which was to hasten an invasion of England by the Scots. Though the soldiers knew little of Lauderdale's plans, they suspected much, and on the morning of the 31st some of them broke into his lodging, before he had risen. In order to prevent him from seeing the King, they ordered him to leave his bed and to quit the place at once without visiting the Abbey. In vain Lauderdale, probably hoping to melt the hearts of his assailants, asked for a short delay in which to say his prayers; but the soldiers inexorably hurried him off as soon as he was dressed.¹ The fears of the soldiers were justifiable enough, but as the views of Charles and the Committee of Estates at Edinburgh were still widely apart there was little likelihood of an immediate invasion. In a letter written by the King on the 27th, he forbade Lanark 'to mention—as to England—either Covenant or Presbyterianial government.'²

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The
officers dis-
satisfied.July 30.
Lauder-
dale at
Woburn.July 31.
Lauder-
dale sent
off by the
soldiers.

¹ Complaint of the Scottish Commissioners, Aug. 1, *L.J.* ix. 367; Bellièvre to Mazarin, ^{July 30}_{Aug. 9}, *R.O. Transcripts*; Whalley's Narrative printed in *A Declaration from his Excellency*, E. 407, 36.

² *Burnet*, v. 110.

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Charles
prepares
an answer
to *The
Heads
of the
Proposals*.Aug. 1.
Their pub-
lication.Charles's
double
dealing.Danger of
anarchy in
the City.

Whilst Lauderdale was in vain attempting to reach the Abbey, Charles was preparing, after long consultations with his lawyers and divines, an answer to *The Heads of the Proposals*. In the opinion of Berkeley, who had himself a share in drawing it up, it was absolutely conclusive. "We easily," he wrote, "answered the proposals both in law and reason; but we had to do with what was stronger than both." The army leaders, on the other hand, being well aware of the general nature of the King's reply, answered it in advance on August 1, by publishing *The Heads of the Proposals* themselves, whilst they, at the same time, urged Berkeley, if he could not persuade the King to assent to their terms, to obtain from him 'at least a kind letter to the army,' before the submission of London, which they knew to be impending, deprived the courtesy of all its grace. A letter to Fairfax repudiating the enemies of the army and declaring himself in the main satisfied with *The Heads of the Proposals* was indeed prepared for Charles's signature, but he refused to sign it, and before he consented to sign any letter at all, events had occurred which robbed it of both 'grace and efficacy.'¹ Yet at the very time when he was so sparing of any public demonstration of good-will, he was sending private messages to Ireton, assuring him of his readiness to confide in the army, and to entrust it with the settlement of the kingdom.²

By this time the citizens were growing weary of the anarchy which they had fostered in their midst. The Reformadoes were beginning to talk of plundering the City.³ The Independents, who, after all, con-

¹ Berkeley's *Memoirs*, 38, 39. Draft of a letter, Aug. 3, *Clar. St. P.* ii. 371.

² Major Huntington's *Sundry Reasons*, p. 7, E. 458, 3.

³ "Il n'y a pas un soldat qui veuille sortir d'icy maintenant: ils

stituted a not inconsiderable minority amongst the Londoners, were emboldened by Fairfax's arrival at Colnbrook to appear on August 2 at Guildhall with a petition for an accommodation. They were there attacked by Poyntz and his officers, and some of them were wounded mortally. The arrival of a deputation from Southwark, where there had long been a jealousy of the City's claim to command the militia of the suburbs, was even more ominous of danger. Southwark required from the Common Council that an agreement should be made with the army, and that the disposal of its militia should be conceded to it.¹ Even in the seventeenth century the City was weakened by the growth of a greater London beyond the limits of its jurisdiction.

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Aug. 2.
Independent peti-
tioners
attacked.A demand
from
South-
wark.

Before nightfall on the 2nd, the Common Council made up its mind to yield; and the next morning despatched a letter to Fairfax, disclaiming any wish to enter upon a new war. The deputation which carried the letter found the army drawn up on Hounslow Heath, 20,000 strong, and, for a reply, had to be content with a long declaration, drawn up on the preceding day, in which was set forth the intention of the army to march on London, as well as its expectation that the eleven members would be either delivered up, or kept in custody till they could be tried according to law. Then followed a scene which had no doubt been carefully pre-arranged. The fugitive members of the two Houses headed by their Speakers, and accompanied by Fairfax himself, rode along the front of the regiments. Their reception could not have been more enthusiastic. The

Aug. 3.
A deputa-
tion from
the City to
Fairfax.A declara-
tion by
the army.Reception
of the
fugitive
members.

croient tous avoir bonne part dans le butin de ceste ville qu'ils imaginent pouvoir piller." Bellièvre to Mazarin, ^{July 29}/_{Aug. 8}, *R.O. Transcripts*.

¹ *Rushw.* vii. 741.

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soldiers threw their hats into the air with cries of "Lords and Commons and a free Parliament." The Elector Palatine, who always took care to attach himself to the stronger party, then rode up and received a greeting equally warm.¹ If the soldiers shouted for Lords and Commons, they shouted for themselves as well. There could be few amongst them who were not glad to discover that their purposed intervention was strictly constitutional.

Southwark
sends for
help.

Fairfax was by this time assured of success. A message had come from Southwark imploring his aid. Four regiments were rapidly pushed forward on the south side of the Thames, and at two in the morning they entered Southwark through a gate opened to them by their friends inside. Even before this the City had surrendered at discretion. The letter announcing its resolution to submit, written on the afternoon of the 3rd, reached Fairfax at Hammer-smith on the morning of the 4th. Later in the day another letter arrived from Charles, who, now briefly disclaimed all intention of making war against Parliament, without even attempting to meet the charge to which he was really open, of having sympathised with the attempt of the Presbyterians to make war against the army.²

Surrender
of the City.

Aug. 4.
A letter
from the
King.

Aug. 6.
The army
enters
London.

On August 6 the army, escorting the returning members, tramped along the road to Westminster. The march resembled a triumphal procession rather than the occupation of a hostile city. Every soldier had placed a leaf of laurel in his hat. When Hyde Park was reached the Lord Mayor and Aldermen welcomed the General, and the distasteful ceremony was repeated by the Common Council at Charing Cross.³

¹ *Rushw.* vii. 743-751.

² The King to Fairfax, Aug. 4, *ib.* vii. 753. See p. 174.

³ *Rushw.* vii. 756.

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Restora-
tion of the
members.Fairfax
Constable
of the
Tower.Aug. 7.
The army
marches
through
the City.The army
hopes for
an under-
standing
with the
King.

In Parliament opposition, for the moment, died away. Manchester and Lenthall returned to their chairs, and the fugitive members were once more seen in their respective Houses. Fairfax having been duly thanked by Lords and Commons, received the appointment of Constable of the Tower, which was no longer to be intrusted to the citizens. The Reformadoes were at last to be actually ejected from London, and a Committee consisting of members of both Houses was appointed to inquire into the violence recently offered to Parliament.¹

On the following day a display of force was made of which the citizens could hardly fail to appreciate the significance. The bulk of the army, some 18,000 strong, marched through the streets of the City, and passed over London Bridge on the way to Croydon. Cromwell rode at the head of the cavalry, but Fairfax, whose health was not yet completely restored, was seated in a carriage with Cromwell's wife and his own. A Royalist spectator, indeed, declared that the troops were 'neither well-horsed nor well-armed,' but their martial vigour and their orderly discipline were beyond dispute.² A sufficient force remained behind at Westminster and the Tower to guard the Houses against a fresh incursion of the City mob. In the eyes of Fairfax this military occupation of London was but a necessary preliminary to an understanding with the King, and there is every reason to believe that the majority of the officers and men under his command shared his hopes. With their full knowledge, the General had

¹ *L.J.* ix. 374; *C.J.* v. 268.

² Letter of Intelligence, Aug. 9, *Clarendon MSS.* 2,572; Newsletter, Aug. $\frac{9}{19}$, Aug. $\frac{12}{23}$, *Roman Transcripts*, R.O. The latter writes that the soldiers 'passerent sy modestement, et en sy bon ordre, que je ne crois pas que l'on puisse voir une armée mieux disciplinée.'

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Fairfax
and the
Great
Charter.Compari-
son be-
tween the
times of
John and
of Charles.Independ-
ent
majority
in the
House of
Lords.Aug. 9.
Struggle
in the
House of
Commons.

declared, in a letter recently addressed to the City, that the army had ‘no other design but the quiet and happy settlement of a firm and lasting peace.’¹ When, upon his entry into the Tower, the records of the kingdom were shown to him, he called for the Great Charter. “This is that,” he said, “which we have fought for, and by God’s help we must maintain.”²

To maintain the principles of the Great Charter under the changed conditions of the seventeenth century was indeed the work in hand. Neither Fairfax nor anyone then living was likely to remember that it was only after the struggles of two generations that the benefits of the Great Charter had been more than nominally secured.

The first difficulty of the army after its day of triumph was, however, not with Charles but with Parliament. The House of Lords, indeed, gave little trouble. With the exception of Pembroke, who always sided with the party which happened for the moment to be uppermost, none of the Lords who had voted Willoughby of Parham into the chair reappeared after the restoration of Manchester. The attendance of a little knot of twelve or thirteen peers, who occupied a corner of the empty chamber, now converted the House of Lords into an Independent stronghold.

It was far otherwise with the House of Commons. On August 9 a large number of those members who had prudently asked leave of absence during the recent troubles returned to the House, where their presence seriously imperilled the mastery of the Independent party. Both Presbyterians and Inde-

¹ Fairfax to the Lord Mayor and Aldermen, Aug. 5, *Rushw.* vii. 756.

² Sanderson’s *Life of King Charles*, 1,002.

pends, indeed, were now ready to protest against the violence of the mob, but whilst the Independents urged the House to affirm that all votes passed in the absence of the legitimate Speakers were null and void, the Presbyterians wished merely to expunge them from the journals, on the ground that if they were once admitted to have been without force from the beginning, the members who had assented to them might be called in question for having taken part in an unconstitutional action.¹

When at the close of the debate the question was put for declaring the votes to have been null and void, the Ayes rang loudly out, whilst the Noes of the Presbyterians were few and feeble. In the insolence of victory an Independent member called for a division, for no other reason, it would seem, than to reveal the weakness of the other party. If the Presbyterians were too depressed to shout, they were not too depressed to vote, and to the astonishment of all present the division gave to the Independents a bare majority of one, the votes being 95 to 94. A worse disappointment was in store for the Independents. Three members who had retired into a committee-room to avoid voting with either side were discovered and brought into the House. As they had been present when the question was put, they were ordered to vote, and all three gave their voices for the rejection of the Independent resolution, which was therefore lost by a majority of two.² On the following day the Presbyterians rejected, by a largely increased majority of 34, another resolution which implied approbation of the recent proceedings of the army.³

A bare
majority
for the
Independ-
ents.

¹ *A Perfect Summary*, E. 518, 19.

² *C.J.* v. 270; Dr. Denton to Sir R. Verney, Aug. 12, *Verney MSS.*

³ *C.J.* v. 271.

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Aug. 10.
Increase
of the
Presby-
terian
majority.
A fresh
appeal
to force
demanded.

Rains-
borough's
view of the
situation.

Aug. 13.
The
Commons
persist.

In less than a week after the entry of the army into London, the instrument which it chose to call a free Parliament had broken in its hands. The last vote left officers and soldiers exposed to the penalties of the law, and it was therefore followed by a cry for a fresh and more stringent application of force. "If things are current thus," said an Independent member, "it is high time for us to betake ourselves to the strongest power and the longest sword."¹ A party in the army was ready to resort to extreme measures. A few days before Berkeley had asked Rainsborough what would happen if *The Heads of the Proposals* were accepted by the King and rejected by the Houses. "If they will not agree," answered Rainsborough, "we will make them," and of this all the officers present at the time signified their approval.²

It soon appeared that the Commons had no intention of abandoning their hostile attitude. On the 13th a resolution sent down from the Lords, for making the Presbyterian Militia Committee answerable for its recent action, was rejected by a majority of 25, on the ground that it had no legal existence after its re-establishment by the mutilated Parliament,³ whilst on the same day they passed, by a still larger majority of 40, an Ordinance for repealing, not annulling, the votes of the Houses in the absence of the Speakers.⁴

On the following day, to counteract the effect of these proceedings, the Agitators presented a petition to Fairfax. The attempt of the army, they asserted, 'to secure to the honourable members of Parliament

¹ Dr. Denton to Sir R. Verney, Aug. 12, *Verney MSS.*

² Berkeley's *Memoirs*, 36

³ See p. 170.

⁴ *C.J.* v. 273.

that discharged their trust,' the possibility of sitting as 'a free and legal Parliament' had failed 'through the unexpected intrusion of those usurpers' who had formerly taken part in the mischievous proceedings of a pretended Parliament. As a remedy they proposed 'that all and every person that have sat in that pretended Parliament, or adhered to them or their votes when the free legal Parliament was by violence suspended, might immediately be declared against as persons incapable of sitting or voting in this Parliament.'¹ The House, in short, to employ a phrase at this time coming into vogue, was to be purged of those members who hindered the views of the army from prevailing.

The petition of the Agitators had, at least, the effect of finally convincing most of the eleven members of the hopelessness of their position. On August 16 five of them—Stapleton, Lewis, Waller, Clotworthy, and Long—availed themselves of passports given them by the Speaker to take shipping for France. They were, however, stopped by a frigate, and brought before Batten, who, as Vice-Admiral, commanded the fleet in the Downs. Batten, who was notoriously friendly to the Presbyterians, readily left them at liberty to go where they would. They therefore pursued their voyage to Calais, where Stapleton died, as some thought, of the plague. A few days later Holles made his way safely to St. Malo.² Of the other five, Nichols was under arrest; Glyn, Harley, and Sir John Maynard preferred to face the worst in England; whilst Massey, who was

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Aug. 14.
The
Agitators
call for a
purge.Aug. 16.
Flight of
six of the
eleven
members.

¹ *The humble address of the Agitators*, Aug. 14, E. 402, 8.

² *A Perfect Diurnal*, E. 518, 21; *Perfect Occurrences*, E. 518, 23. See, however, *A true relation of Captain Batten*, E. 404, 38; *A short and true Narrative*, E. 409, 3.

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Aug. 17.
The
Commons
show signs
of giving
way,
but con-
tinue to
resist.

Impa-
tience of
the army.

Aug. 18
The Army
Council
supports
the
Agitators.

Cromwell
eager to
purge the
House.

specially inculcated as having been concerned in raising and disciplining the City forces, had escaped with Poyntz to Holland as soon as he discovered that resistance was hopeless.¹

In the House of Commons itself, the threats of the Agitators produced an irritation which stiffened the resistance of the Presbyterian majority. On the 17th, a proposal of the Independents to declare that the House had been under coercion from July 26 to August 6 was rejected, though it is true that it was only rejected by a majority of three. During the next day or two the majorities fluctuated in a surprising manner.² By this time the impatience of the army was growing beyond restraint. On the 18th the Army Council met at Kingston, where they drew up a declaration fully supporting the petition of the Agitators,³ and even gave orders for a forward movement of the army towards Westminster to support the demand for the purging of the House. Those who cried loudest for immediate action found a warm supporter in Cromwell,⁴

¹ He and Poyntz left behind them a *Declaration* (E. 401, 12), published on Aug. 9.

² *C.J.* v. 275, 277-279.

³ Declaration of the Council of the Army, Aug. 18, *L.J.* ix. 391.

⁴ "The army," wrote Fairfax in Short Memorials (Somers's *Tracts*, v. 393), "marched nearer London; and at Windsor after two days' debate in a council of war, it was resolved to remove all of the house whom they conceived did obstruct (as they called it) the public settlement.

"I was pressed to use all expedition in this march, but here I resolved to use a restrictive power, when I had not a persuasive; and when the Lieutenant-General and others did urge me to sign orders for marching, I still delayed it, as ever dreading the consequences of breaking Parliaments, and at a time when the kingdom was falling into a new war, which was so near that my delaying three or four days giving out orders, diverted this humour of the army from being statesmen to their more proper duty as soldiers. . . . This I write to show

who had been driven out of all regard for constitutional propriety by the recent proceedings of the Presbyterians in the House. "These men," he said, "will never leave till the army pull them out by the ears,"¹ and on another occasion, after complaining bitterly of the sway borne by Holles and Stapleton in the affairs of the kingdom, he added words which gave bitter offence to his detractors. "I know nothing to the contrary," he said, "but that I am as well able to govern the kingdom as either of them."²

Cromwell's main obstacle lay with Fairfax, who refused to participate in his design of purging the House, and who postponed from day to day the order for the march on which the Army Council had decided. Cromwell determined to take the matter into his own hands. On the 20th, when the Ordinance for declaring the proceedings of Parliament in the absence of the Speakers null and void was again brought forward, he ordered a regiment of cavalry to take up a position in Hyde Park, so as to convey the impression that he intended to use it, if necessary, against the House of Commons. He then, leaving

Fairfax
resists.

Cromwell
prepares
to act.

how by providence a few days of delay secured the Parliament above a year from the violence which soon after was offered them."

If this took place more than a year before Pride's purge, it must have happened before Dec. 6, 1647. If it took place at Windsor it must have happened after Nov. 19. Between these two dates, however, no proposal to purge the House was made. Fairfax is, however, very loose about details, and the story may safely be placed here, when a proposal to purge was actually made.

¹ This story is told by Ludlow, who assigns it to a much earlier date; but his regardlessness for chronology is well known, and the observation is not only far more likely to have been made at a time when Cromwell really advocated a purge, but the placing it at this date is strongly countenanced by a passage in Huntington's *Sundry Reasons*, p. 8, E. 548, 3.

² *Ib.* This was said at Kingston; therefore between Aug. 11 and 27.

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He obtains
an Ordinance an-
nulling the votes
given under
coercion.

Retreat
of Presby-
terians.

An Inde-
pendent
majority.

outside a party of soldiers who followed him up to the door, entered the House accompanied by those officers who were also members of Parliament,¹ and with the aid of their votes the Ordinance was carried.² It did not contain any direct provision for the punishment of those who had taken part in coercing Parliament, but it excepted from indemnity all who had been present when force was used, or had been cognisant beforehand of its employment, or had afterwards acted upon the votes obtained by force, or had shared in the engagement to bring the King into the City. The exceptions were somewhat sweeping, and it is, therefore, no wonder that the passing of the Ordinance was followed by the speedy retreat of the most prominent Presbyterians, who by their absence handed over the House to what was now an Independent majority.

¹ "Nel medesimo tempo che stavano sopra il punto della deliberatione e per decidere il negotio, ecco che la cavalleria di Fairfax marcia verso il luogo dell' Assemblea, e che il Luogotenente Cramver [*sic*] si presenta sulla porta della Camera in compagnia di molti Colonelli e Capitani, facendo istanza a tutti insieme che tutti gl'ordini fossero annullati, e di più, che tutti quelli, i quali havevano dato il lor voto per tali ordini, fossero castigati. La più parte di quelli della camera e particolarmente li Presbiteriani che havevano travagliato intorno a tali ordini, uscirono bel bello dal Parlamento: alcuni si fuggirono dalla città; altri hanno passato il mare, prevedendo qualche vicina tempesta, e quelli i quali continovarono nella radunanza, parte per amore, e parte per pavora votorono in favore dell' Armata, dichiarando tali ordini esser nulli." Newsletter, ^{Aug. 27}_{Sept. 6}, *Roman Transcripts*, R.O. The statement about the cavalry is confirmed by Huntington's story of a review in Hyde Park (*Sundry Reasons*, p. 8, E. 458, 3). That the retreat of the Presbyterians took place after and not before the vote is shown by the fact that the Presbyterian vote was nearly as large as it had been on the preceding day. The Independent vote was higher by twenty, being no doubt increased by the presence of the military members. Holles (*Memoirs*, 172) says that there were 1,000 horse drawn up in Hyde Park, 'and guards out of the army besetting the doors and avenues.'

² The division was taken on a minor point, but the main question was evidently settled by it. *C.J.* v. 220.

Faifax was able to pride himself on having hindered the purging of the House. Yet, if he had so far gained his end, it was only because Cromwell had accomplished his design by the display of force without actually making use of it. The mastery of the army, thinly veiled, had made itself felt, and one more stage had been passed on the road which was to end in the enslavement of Parliament.

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CHAPTER LIV.

CROMWELL AND THE KING.

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Cromwell
still builds
his hopes
on the
King.Aug. 12.
The King
merry,
but un-
yielding.Modifica-
tions pro-
posed in
*The Heads
of the
Proposals.*

It was possible for Cromwell to fling aside his respect for Parliamentary authority, because he still hoped to find in the King a foundation on which to build up the civil institutions of the country in an amended form. Unfortunately it was not in Charles either to accept of a compromise or to understand that Cromwell really cared for anything except his personal advancement. On August 12, when he moved to Oatlands, he was observed to be 'very merry,' taking especial pleasure in the thought that, though he was himself a captive, his son was out of the rebels' reach,¹ and, therefore, it may be presumed, would refuse to be bound by any engagements which he might himself make under duress. In such thoughts there was no sign of yielding. In spite of the pleadings of his most attached servants² he persisted in rejecting *The Heads of the Proposals*.

On the side of the army there was still every wish to be conciliatory, and during the next week, the week in which differences between the Parliament and the soldiers were being brought to an issue, negotiations were opened in the hope that some reasonable compromise might be discovered. Charles, however, at this time stood out on two points. He asked for an amnesty for all his fol-

¹ Letter of Intelligence, *Clarendon MSS.* 2,573.

² Bellièvre to Mazarin, Aug. 15, 19, 22, *R.O. Transcripts.*

lowers, and that there might be no diminution in the revenues of the bishops and clergy. The army, on the other hand, asked that a part of these revenues might be devoted to the payment of debts incurred in the war. Both King and army were agreed that the general toleration should include such Catholics as would take an oath of allegiance in a modified form. The scheme was approved in principle by an assembly of English Roman Catholic divines, and was then remitted to Rome for the approval of the Pope.¹

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Our information on this negotiation is fragmentary, but, as a week later the discussion had passed to other points, it is to be presumed that the settlement of these questions was postponed.² By that time Charles was vigorously resisting the removal of the militia from under his authority, and still more the suggestion that peace and war should be subjected to the competency of Parliament. Nor was he more satisfied with a stipulation that the money to be levied for the army should be out of his own control.³

Aug. 20-27.
Progress
of the ne-
gotiation.

Still the army leaders did not despair. On August 24 Charles was removed to Hampton Court, and two days later head-quarters were established at Putney, half-way between Hampton Court and Westminster.

Aug. 24.
Charles at
Hampton
Court.

Aug. 26.
Head-
quarters at
Putney.

Charles was battling as one to whom every position was of importance. With him it was no mere struggle for personal ends, as he at least believed from the bottom of his heart that the democratic innovations with which *The Heads of the Proposals*

¹ Newsletter, Aug. 20, *Roman Transcripts, R.O.*

² The army cannot have yielded, as we hear of the King's holding out on these points later on.

³ Newsletter, ^{Aug. 27} _{Sept. 6}, *Roman Transcripts, R.O.*

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absolutely bristled would be disastrous to the well-being of the country. He knew well that those innovations had no hold on the popular mind, and he knew also that the feeling that it was impossible to make an enduring settlement from which he was himself excluded was not confined to Cromwell and the officers.

Interven-
tion of the
Scottish
commis-
sioners.

Aug. 26.
The New-
castle Pro-
positions
revived,

Aug. 27,
and
adopted.

The Inde-
pendents
not in
earnest in
supporting
hem.

In this conflict of opinion the Scottish commissioners again made their voice heard with effect. They remonstrated strongly on the subject of the insult to Lauderdale, and also on the subject of the stoppage of his messenger Cheisley by the Governor of Newcastle.² On the 26th, to give them satisfaction, the House of Commons re-introduced the strongly Presbyterian Propositions of Newcastle,³ which were adopted on the 27th with a few slight amendments. The rapidity with which the matter was hurried on strengthens the belief entertained by contemporaries that the Independents at least were not in earnest, their object being to convince Charles that if he persisted in refusing his consent to *The Heads of the Proposals*, a worse thing might befall him. Their motives indeed were so little of a secret, that Ireton sent Charles a message telling him not to be troubled at what was passing at Westminster, as the Independents 'intended it to no other end but to make good some promises of the Parliament which the nation of Scotland expected the performance of, and that it was not expected nor desired his Majesty should either sign or treat of them.' Parliament, said Cromwell to Charles after the vote had passed, 'intended nothing else but to satisfy the Scot.'³

¹ *L.J.* x. 387.

² Smith to Leveson, Aug. 31, *Hist. MSS. Com. Rep.* v. 172.

³ Huntington's *Sundry Reasons*, p. 8, E. 458, 3.

If this was the truth, it may fairly be conjectured that it was not the whole truth. The Independent leaders knew that, unless they could win Charles over to their side, it would be impossible for them permanently to secure Parliamentary support. So strong was the universal craving for peace, that even the victorious army which was at their command could not enforce order by the sword alone. If Charles did not heartily rally to their cause, they would have to fall back on Parliament. The acceptance by the Commons of the Newcastle Propositions had indeed at first the effect of driving Charles to yield something to the importunity of the army, and though he continued to stand firm on the amnesty for his friends and the preservation of the Church lands, he gave way about the militia, and agreed that Parliament should name the great officers of State.¹ Yet the army leaders can hardly have failed to have had before their eyes the risk which they would run if Charles, having been restored to the throne after accepting their conditions, should declare that he was not bound by promises made under compulsion, and should fling them to the wild vengeance of popular indignation.²

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The Inde-
pendents
between
King and
Parlia-
ment.

¹ Newsletter, Sept. 1st, *Roman Transcripts, R.O.*

² The correspondent of Rome in England may not be a fair exponent of the general belief of Englishmen, but he no doubt only retailed what he heard when, in the letter just quoted, he says that the army was never nearer its ruin, 'essendo al presente un mese e più che li Capi dell' Armata con il loro consiglio di guerra non studiano altro, giorno e notte, che a ritrovare i modi per assicurare non solamente il loro stato ma ancora le loro persone, e niente di meno non lo sanno arrivare, perchè il popolo universalmente desidera, dimanda, e grida che il Rè ritorni in Londra, e nel governo dello Stato, e di fare altrimenti no si può senza esporsi a una sollevatione universale contro a quelli, e tale che non sarebbero capaci di resistere lungamente. Dall' altra banda, se rimettano il Rè in Londra, e nel suo Parlamento, prevegga che sarà in potere di S. M. di far concludere tutto quello che

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Sept. 7.
The Parlia-
mentary
proposi-
tions pre-
sented.

On September 7, after some delay caused by the hesitation of the Scottish commissioners to accept amendments however slight without authority from their own Committee of Estates, the Parliamentary propositions were laid before the King, Lauderdale himself joining the English commissioners in presenting them. Charles was asked to give his answer within six days.¹

An Inde-
pendent
sub-
committee.

For some time the Independents, having now a slight majority in the House of Commons through the absence of many of their Presbyterian opponents, had been employed in strengthening their position at Westminster. On August 13 the two Houses, finding the proceedings of the committee appointed to examine into the violence offered to the Houses² hampered by the action of its Presbyterian members, took the unusual course of naming by Ordinance a sub-committee to do the work of the committee itself.³ This Independent sub-committee, if those who suffered from its proceedings are to be trusted,⁴ showed itself as arbitrary as political partisans entrusted with magisterial functions usually do. On the report of

vorra, perchè ne l'Armata, ne il Parlamento non haveranno di che resistere alla devotione del popolo che ha particolarmente apperto gl' occhi di maniera che [non] resta a gl' Independenti altra strada per assicurarli che di convenire con il Rè, e formare tutte le propositioni prima che las[ci]arlo venire a Londra; ma questo assicuramento li sarà inutile primeramente perchè il Rè non vuol signar niente, se non è unito con li suoi membri del Parlamento: in secondo luogo quando haverebbe segnato di sua propria mano, e il Parlamento appresso havesse passato le propositioni, il Rè venendo a Londra e nel suo Parlamento potrà giustamente dichiarare, e la sua dichiarazione sarà ricevuta, che ha signato per forza, essendo nelle loro mani, e non essendo nel suo Parlamento. Di più ancora, che se il Rè per non mancar di parola non facesse una tal dichiarazione, questo sarà in potere d' un altro Parlamento, che non li sarà loro favorevole, di cassare tutti questi ordini e aggitare contro li autori di quelli como traditori e perturbatori dello Stato.'

¹ *L.J.* ix. 428.² See p. 177.³ *C.J.* v. 273.⁴ Walker's *Hist. of Independency*, i. 51.

this sub-committee the House of Commons expelled and imprisoned Glyn and Sir John Maynard, two of the eleven members who had remained to face the storm, and then proceeded to impeach seven peers who had continued to sit after the departure of the Speakers—Suffolk, Willoughby of Parham, Hunsdon, Maynard, Lincoln, Berkeley, and Middlesex—on the elastic charge of treason, ‘for levying war against the King, Parliament, and kingdom.’¹

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Glyn and Maynard expelled and imprisoned.

Sept. 8.
Impeachment of seven peers.

In all this work of party vengeance Cromwell and Ireton took no immediate part. They were at Putney sending constant messages to Charles, urging him to refuse his assent to the Propositions. Charles replied by the very pertinent question, which he conveyed to them through Major Huntington, why, if they disliked the Propositions so much, they had not opposed them in the House of Commons?² Their reply was that ‘they only concurred with the rest of the House that their unreasonableness might the better appear to the kingdom.’ Cromwell next begged Huntington to ‘assure the King that, if the army remained an army, his Majesty should trust the proposals with what was promised³ to be the worst of his condition which should be made for him.’⁴ Of this, added Cromwell, ‘striking his hand on his heart,’ the King ‘might rest confident and assured.’ Ireton went farther still. The army, he told Huntington, ‘would purge, and purge, and purge, and never leave

Cromwell gives assurances to the King.

Ireton talks of purging the House.

¹ *C.J.* v. 295, 296.

² There had been no vote taken, so that Cromwell’s fault, if fault it was, lay merely in not dividing the House against the Propositions.

³ *i.e.* the suggestions for legislation appended. See *Const. Documents*, 239.

⁴ Ashburnham’s statement (*Narrative*, ii. 96) that Cromwell often repeated ‘that if the army continued an army, they would restore the King,’ seems to be a reminiscence of this conversation. If so, it is a good example of the tendency of reporters to mislead by dropping qualifications.

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purging the Houses, till they had made them of such a temper as to do his Majesty's business; and rather than they would fall short of what was promised, he would join with French, Spaniard, Cavalier, or any that would join with him to force them to it.'¹

Object of
Cromwell
and Ireton.

Neither Cromwell's nor Ireton's phrases may have been reported with complete accuracy, but in its general tenour Huntington's narrative is very much what might have been expected. The constitutional scheme of *The Heads of the Proposals* was Ireton's own, and Ireton was more ready than Cromwell to use force to carry his views into practice. After all, could Charles have been trusted to act in harmony with a reformed Parliament, an unconstitutional dissolution of a Parliament protected against dissolution by an unconstitutional statute might have been the best, as it certainly was the shortest, path out of the maze in which the nation had lost its way.

Charles's
position.

It is no matter of blame that Charles was as disinclined to listen to *The Heads of the Proposals* as he was to listen to the Newcastle Propositions. His fault was that he neither gave a direct negative to them nor formulated a counter-scheme of his own.

His hopes
from
Scotland.

He had lately received letters from Scotland which led him to believe that, by spinning out the time, he might have the support of the Scots on his own terms. Argyle's eagerness to send an army into England² had soon abated. On August 9 he protested in the Committee of Estates against any action which might lead to a rupture with England; and, a few days later, he told Montreuil that Scotland would do wrong to help Charles unless he would accept Presbyterianism and the Covenant. If he could not

The situa-
tion in
Scotland.

Argyle
changes
front.

¹ Huntington's *Sundry Reasons*, E. 458, 3.

² See pp. 68, 123.

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do this let him send his eldest son to Scotland, and if the Prince, on his arrival, would give satisfaction on religion, he should at once be put at the head of an army of 16,000 men.

The
Hamiltons
take up
the King's
cause.

As Argyle grew cool on the subject of an invasion of England, the Hamiltons began to take the King's cause up in earnest. They procured from the Committee of Estates an order for sending Lanark and Loudoun to England, and, on August 13, sent Robin Leslie in advance to prepare the way for the new commissioners.¹ By the instructions carried by Leslie it appeared that the Hamiltons wished all military movements to be postponed till the following year.² By that time there would be a new Parliament, and they doubtless hoped to secure the upper hand in the elections. The Hamiltons, at least, had no wish to push Charles too hard on the score of religion. Lanark wrote to him on the 23rd, excusing the delay on the ground that if help had been sent at once it could only have been given 'at the old rate of satisfaction in religion and the Covenant.'³ Even as things were, however, the Hamiltons gained ground, and on September 4 the Committee of Estates ordered their commissioners in London to delay the presentation of the revised Newcastle Propositions till the arrival of Loudoun, and also to press the English Parliament to allow Charles to come to London in order that, after confirming his message of May 12—that is to say, his promise to grant Presbytery for three years—he might proceed to treat upon the remaining Propositions.⁴

Sept. 4.
Action of
the Com-
mittee of
Estates.

¹ Montreuil to Brienne, Aug. $\frac{1}{2}$ $\frac{1}{4}$, *Carte MSS.* lxxxiii. 196; Montreuil to Mazarin, Aug. $\frac{3}{31}$, *Arch. des Aff. Étrangères*, lvi. fol. 201.

² Instructions to R. Leslie, *Burnet*, v. 113.

³ Lanark to the King, Aug. 23, *ib.* v. 114.

⁴ Lanark to the King, Sept. 4, *ib.* v. 118.

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Batten
offers the
English
fleet to the
Scots.

These last orders arrived too late to be of service, as the Propositions were actually presented on the 7th. Lauderdale, however, had not been inactive on the King's behalf. Batten had made him an offer to bring the twenty-two ships under his command to declare for the Scots and the English Presbyterians, on condition that he was allowed to revictual his ships elsewhere than in England. Though Batten was aware that the Scottish authorities would object to show their hands by admitting him into one of their own harbours, he fancied that, at their request, he might be allowed to seek in France the provisions of which he stood in need.¹ So conscious was Cromwell of the imminence of danger from Scotland that he assured Lauderdale of his readiness to comply with the wishes of the Scots—granting all that they could reasonably demand, if only they would abandon their intention of sending an army to the help of the King.²

Charles
plays a
double
game.

Charles, as was too often the case, was playing a double game. On the one hand he assured Lauderdale that, if only the Scots would declare in his favour, they should have nothing to complain of with respect to his dealings with the Independents, though he was ominously silent as to the concessions which he was prepared to make to his deliverers.³

¹ Montreuil to Brienne, ^{Aug. 28}_{Sept. 7}, *Carte MSS.* lxxxiii. fol. 200b. Montreuil derived his information from a letter written by Lauderdale.

² Lauderdale, writes Montreuil in the dispatch cited in the last note, had given information 'que les Independants se veulent accommoder avec les Escossais, qu'il traite avec un des plus considerables de l'armée d'Angleterre'—this can hardly be anyone but Cromwell—'pour cet effect, qui l'asseure que pourveu que l'Escosse s'accorde avec les Independants dans ce seul point d'abandonner leur Roy, ils demeureront aisement d'accord les uns et les autres de tout le reste.' This is vague, but I think it means what I have stated in the text.

³ According to the same dispatch, Lauderdale wrote, 'que Benfeld,' *i.e.* Bamfield, 'qui connoit M. Germain, n'avoit pu faire promettre au

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His answer
to the Pro-
positions.He asks
for a
personal
treaty.Cromwell
and Ireton
suspected
of too great
compli-
ance.Temper
of the
soldiers.Sept. 7.
A demand
upon the
City.

On the other hand, he sent to Cromwell and Ireton a draft of the answer which he proposed to send to the Houses, to the effect that he preferred *The Heads of the Proposals* to the Newcastle Propositions, and that he therefore wished that Parliament would take the former into consideration and afterwards enter into a personal treaty with himself with a view to the modification of the articles to which he took objection.¹ Both Cromwell and Ireton saw in this answer far more than it really conveyed, and they engaged to support the King's demand for a personal treaty. On this the answer, which in reality bound Charles to nothing, was, on September 9, despatched by him to Westminster.²

It is hardly to be wondered at that the excessive eagerness of Cromwell and Ireton to accept Charles's tinsel promises as pure gold should be received with some suspicion in the army. The soldiers, indeed, were at the time in no good humour, as their pay was considerably in arrear on account of the difficulty of levying the assessment in the City. Under such circumstances the men were ready to give ear to violent counsels which might possibly lead to their entrance into the City, and to the exaction of payment by force. Fairfax, indeed, made an imperative demand upon the citizens for the immediate payment of 50,000*l.*,³ but the citizens had treated many imperative demands of a similar nature with silent contempt, and were not likely to give way now.

Roy d'Angleterre qu'il contenteroit les Escossois, mais seulement que s'ils commençoient à se declarer pour luy, il ne seroit à leur prejudice avec les Independants.'

¹ Berkeley's *Memoirs*, 43; The King to the Speaker of the House of Lords, Sept. 9, *L.J.* ix. 434.

² Huntington to Fairfax, Sept. 9, *Clarke Papers*, i. 225.

³ *A Perfect Diurnal*, E. 518, 31.

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Lilburne's
opinion
on the
legality of
Parlia-
ment.

Sept. 9.
Major
White
expelled
from the
Army
Council.

Sept. 14.
Words
spoken
against
the King
to be
excused.

Sept. 9.
A dis-
cussion at
Putney.

If the soldiers needed a theory wherewith to justify their actions, Lilburne was always ready to supply it. He had for some time been teaching that Parliament had no legal existence till it had been purged of the members who sat in the absence of the Speakers, and his disciples repeated his arguments at head-quarters. On September 9 Major White was expelled from the Council of the Army for maintaining that there was 'now no visible authority in the kingdom but the power and force of the sword;' Cromwell, as might easily be imagined, taking a leading part in the condemnation of a doctrine so subversive of civil order.¹ On the other hand, the principal officers did everything in their power to obtain satisfaction for the reasonable demands of the soldiers. On the 14th Fairfax forwarded to Westminster a petition in which the Agitators asked for the release of prisoners condemned by the judges for speaking words against the King. Amongst them was a certain Robert White, who had said that if he met the King at the head of his army 'he would have as soon killed him as any other man.'²

It was well that at the end of a civil war rash words should not be too readily taken into account, but it was also well that no attempt to obtain a reasonable settlement should be neglected. Cromwell, in his efforts in this direction, was supported by a majority of the Council of the Army. On the 9th there was a long discussion at Putney on the best way to establish a firm peace on the basis of the

¹ *The Humble Proposals*, E. 406, 21; *The Copy of a Letter . . . by Francis White*, E. 413, 17.

² *Perfect Occurrences*, E. 518, 33; *An Humble Remonstrance*, E. 407, 15. This saying has been ascribed to Cromwell on the faith of an anonymous statement, specifying no place or date, preserved by Noble, *Mem. of the Prot. House of Cromwell*, ii. 271.

King's restoration. In the course of this discussion, Cromwell reiterated his assertion that he had no wish 'to cast down the foundation of Presbytery and set up Independency.'¹ Freedom for his own party to worship in their own way was all that he required, not its establishment in power, or a share in the material emoluments of the Church.

Cromwell, having girt himself to the difficult task of winning Charles, had been sanguine enough to imagine that he could also win Lilburne to his side. The fall of the Presbyterians in Parliament had given Lilburne fresh hopes of regaining his liberty, and it was now expected that Marten, who was the chairman of the Committee of the Commons in which the legality of his imprisonment had been discussed, would be allowed to make the report, the obstacles hitherto thrown in his way being now removed. Lilburne had long held Cromwell to be his bitterest enemy, but when the important day approached, he pleaded with him for a personal interview. Cromwell was never vindictive, and on September 6 he visited Lilburne in his cell in the Tower. Here Lilburne discovered that Cromwell feared lest if he were once at liberty he would spend his leisure in stirring up a mutinous spirit in the army, and, with the generosity which often accompanies fanaticism, he at once offered to leave England if only a reasonable amount of justice were done to him. That, he added, which touched him most nearly was the interest of the public. If only the House of Commons would deny that the Lords possessed original jurisdiction over a commoner, he would waive all claim to compensation for his ill-treatment, at least during the present Parliament.²

Sept. 6.
Cromwell
and
Lilburne.

Lilburne
offers to
leave
England.

¹ *Two Declarations*, E. 407, 1.

² *An Additional Plea*, E. 412, 11.

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Sept. 14.
Cromwell
supports
a motion
for a
search into
precedents.

Lilburne
denounces
him.

Cromwell
anxious to
avoid a
conflict
between
the
Houses.

Delay in
consider-
ing the
King's
answer.

Cromwell spoke kindly to Lilburne, but he had to do with a man singularly incapable of taking a broad view of political necessities, and when, on September 14, some days after Marten's report had been made, Cromwell supported a motion for directing the committee from which the report proceeded to search for precedents on the jurisdiction of the Lords, he was once more in Lilburne's eyes the perfidious hypocrite whom no promises could bind. Lilburne now proposed to appeal to the common soldiers and the labourers against the iniquity of their superiors. He informed Marten that he would call on 'the private soldiers of his Excellency's army' to see what 'the hobnails and clouted shoes' would do for his cause.¹ A more practical reasoner might have discerned that it was undesirable in the interests of public policy that the Commons should fulminate violent threats against the House of Lords without, at least, making sure of the ground on which the attack was to be conducted.

Cromwell was, no doubt, specially anxious to avert a conflict between the Houses, as the time was now approaching when the concurrence of all men of good will would be needed if there was to be a settlement at all. Charles's announcement of his preference for *The Heads of the Proposals* had stirred up the anger of the Parliamentary Presbyterians,² and had left them powerless to resist the demand made by the Independents for delay in considering the King's answer, in order to have time to ascertain the wishes of the army as well as to make up their own minds. For some days negotiations were vigorously carried on between the King's agents on the

¹ *Two Letters writ by . . . John Lilburne*, E. 401, 41. C.J. v. 301.

² Newsletter, Sept. 17, *Roman Transcripts*, R.O.

one side and the leading members of Parliament and the chiefs of the army on the other, with the result that the explanations given on the King's behalf were considered entirely satisfactory.¹ Upon this the Council of the Army met at Putney on the 16th, and resolved that it was expedient to proceed by steps, and that they would begin by asking Parliament to draw up Bills to secure the liberties of the subject and the privileges of Parliament, as also to settle the militia, on the understanding that, as soon as these had received the royal assent, they should be followed by others securing the rights of the King.²

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An under-
standing
probable.Sept. 16.
Proposals
of the
Council
of the
Army.

Though Cromwell was still able to carry the Army Council with him, he exposed himself to a fierce attack from a vigorous minority which had come to the conclusion that it was useless to negotiate further with Charles. In the course of the discussion Rainsborough, by whom this minority was led, so far lost his temper as to tell Cromwell that 'one of them must not live.' On the other hand the soldiers, like the officers, were divided into parties, and no less than 4,000 of them subscribed their names to a petition asking for a reconciliation with the King.³

Cromwell
attacked
by Rains-
borough.A soldiers'
petition on
behalf of
the King.

It was not only at Putney that Cromwell and his supporters were attacked. In London the Royalist and Presbyterian newspapers teemed with virulent charges against the motives and characters of the men who were doing their best to reconcile the King and Parliament on principles of which they themselves disapproved. It is not likely that Cromwell

Attacks
of the
London
news-
papers.

¹ "Il Rè era contento, e ciascheduno se ne stava sodisfatto della negotiatione. Io sono stato presente a tutta istoria." Newsletter, Sept. 24, Oct. 4, *Roman Transcripts, R.O.*

² *The Intentions of the Army*, E. 408, 16.

³ Ford to Hopton, Sept. 20, *Clarendon MSS.* 2,597.

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Sept. 20.
The press
to be
gagged.

was more ready than on other occasions to resent personal insults, but on the 20th Fairfax conveyed the general sense of the Council in a letter asking Parliament to put a stop to the libels.¹ Though an Ordinance intended to carry out Fairfax's wish passed through Parliament,² practically the press remained as free as before, and Royalist scribblers continued to call attention to Cromwell's flaming nose, or even to charge him with gross licentiousness of life.

Sept. 21.
The King's
answer
voted a
denial of
the Pro-
positions.

On the 21st the King's reply, expressing a preference for *The Heads of the Proposals* to the Parliamentary Propositions, and asking for a personal treaty, was at last formally brought before the Houses. Both Lords and Commons voted that it was a denial of the Propositions.³ Whether this vote was to be merely a clearing of the Presbyterian scheme out of the way or whether it was to be followed by an absolute renunciation of the King's title, depended on the course which would be taken on the following day. On the morning of the 22nd the members crowded into the House before the arrival of the Speaker, and amidst the buzz of conversation voices were heard asking that the King should be imprisoned in Warwick or Windsor Castle.⁴

Sept. 22.
The King's
imprison-
ment
talked of.Divisions
in the In-
dependent
party.

After the arrival of the Speaker, a proposal was made that the House should go into Committee to consider its relations with the King. The Independent party at once split into two fractions, the one under its old leaders still desirous of an understanding with the King; the other, which may fairly be styled Republican, aiming under the guidance of Marten and Rainsborough at the abolition of

¹ Fairfax to Manchester, Sept. 20, *L.J.* x. 441.² *Ib.* x. 457.³ *Ib.* x. 440; *C.J.* v. 311.⁴ Newsletter, Sept. 24
Oct. 4, *Roman Transcripts*, R.O.

monarchy. Marten now asked that the House instead of going into Committee should vote that no further addresses should be made to Charles, who, according to one of Marten's followers, was the Achan in Israel and the Jonah in the ship.¹

Against this view of the case Cromwell and Ireton, followed by the old Independent leaders, Vane, St. John, and Fiennes, loudly protested, demanding that the King's request for a personal treaty should be granted.² In supporting his argument in favour of an agreement with the King, Cromwell urged that it was worthy of consideration 'how that there was a party in the army labouring for the King, and that a great one; how the City was endeavouring to get another party in the army; and that there was a third party . . . little dreamt of, that were endeavouring to have no other power to rule but the sword.'³ The same motive, the fear of military anarchy, which in the spring had driven him to uphold the authority of Parliament, now drove him in the autumn to uphold the authority of the King.

Marten's proposed vote of no addresses was rejected, Cromwell himself acting as teller against it,

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Marten proposes a vote of no addresses;

but is opposed by Cromwell and the old Independent leaders.

The vote of no addresses rejected.

¹ W. Langley to J. Langley, Sept. 28, *Hist. MSS. Com. Rep.* v. 179.

² Ford to Hopton, Sept. 28, *Clarendon MSS.* 2,604. Berkeley, too, witnesses strongly as to the vigour with which Cromwell and his friends took up the King's cause. After saying that Charles's answer to the Propositions (see p. 195) had been shown to 'our friends in the army' before it was sent to Westminster, he adds that they, 'seeming infinitely satisfied' with it, 'promised to use their utmost endeavours to procure a personal treaty, and, to my understanding, performed it; for both Cromwell and Ireton, with Vane and all their friends, seconded with great resolution this desire of his Majesty.' Berkeley's *Memoirs*, 43.

³ Ford to Hopton, Sept. 28, *Clar. St. P.* ii. App. xxxix. Cromwell was afterwards accused of saying that his own opinion was the sense of the army, which he disavowed. See *Clarke Papers*, i. 229-232.

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Selections
to be made
from the
Parliamentary
Propositions.

The
militia pro-
position
selected.

Sept. 23.
Other
selections.

Only one
more ap-
plication
to be
made to
the King.

by eighty-four votes to thirty-four.¹ The majority was evidently composed of a composite body of Presbyterians and Independents. Such a majority was not likely to be coherent, and the House, as soon as it had gone into committee, decided without a division that selections made from the last Parliamentary Propositions should be sent to the King for his acceptance or refusal. The committee would not hear of Cromwell's idea of a personal treaty. There can be little doubt that if a report of the proceedings of the committee were brought to light, it would show that the combination between the Presbyterians who wished only for a settlement on their own terms, and the Republicans who wished to have a settlement without the King, was so strong that Cromwell thought it imprudent to take a division. Before the end of the sitting it was agreed that the proposition on the militia should be the first selected.

On the 23rd the discussion continued in the absence of Cromwell, who had duties to attend to at head-quarters. Instead of confining its selection to merely political demands as had been suggested by the Army Council a week before,² the House fixed on the propositions relating to the abolition of episcopacy and the sale of bishops' lands in satisfaction of the debts of the army—everything, in short, which would be most obnoxious to Charles, and then decided that application should be 'once again made to the King,' implying that if he refused to accept the terms thus offered, his refusal was to be final, and that no attempt to negotiate further would be made. Marten, who thought one application too much, succeeded in obtaining twenty-three votes

¹ *C.J.* v. 312; Newsletter, ^{Sept. 24}_{Oct. 4}, *Roman Transcripts, R.O.*

² See p. 199.

against seventy. It is evident that the Presbyterians voted in the majority, who, it must be supposed, were sufficiently infatuated to imagine that, if only they were firm enough, they would succeed in bringing Charles on his knees.¹

Cromwell
not sup-
ported by
Charles.

When, therefore, Cromwell returned to Westminster,² too late to take part in this debate, he found that all his efforts in the King's behalf had been thrown away. Nor was Charles at all ready to give him that countenance without which all that he could do would be done in vain. Charles, indeed, had excellent information on all that was passing, Lady Fairfax herself betraying to him the secrets of the Army Council which she doubtless learnt from her complaisant husband.³ What he learnt, however, encouraged him to exaggerate the importance of the divisions amongst his adversaries, and to turn a deaf ear to all offers of compromise, in the vain hope that he would be borne back to power on the crest of the popular wave. Before the end of September a Royalist who had excellent means of acquiring information wrote that the negotiation between the King and the chiefs of the army was still kept up. "But it comes to no issue nor any likelihood of one. The King is very resolute."⁴

Attacks on
Cromwell.

Baffled by the House of Commons and unsupported by Charles, Cromwell's mediatory position was rapidly becoming untenable. The split in the Independent party which wrecked his scheme in Parliament was not confined to the House of Com-

¹ *C.J.* v. 314.

² *Clarke Papers*, i. 231, 232.

³ "La moglie di Farfax Generale appassionata per il Rè avvisa di quanto si passa nel Consiglio secreto." Newsletter, ^{Sept. 24}/_{Oct. 4}, *Roman Transcripts*, R.O.

⁴ Ford to Hopton, Sept. 30, *Clarendon MSS.* 2,605. Ford was Ireton's brother-in-law.

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Sept. 24.
Cromwell
on his
defence.

Cromwell
and Ireton
persist in
treating
with the
King.

Repub-
lication
of *The
Heads
of the
Proposals*.

Sept. 25.
The Lord
Mayor and
five
aldermen
impeached.

Sept. 27.
Regulation
of muni-
cipalities.

mons. In the army itself Cromwell was denounced as a mere time-server, bent upon currying favour with Charles in the pursuit of his own private interests. Even the faithful Hugh Peters attacked him and the officers who supported him as too great courtiers.¹ Cromwell could but plead his good intentions. "Though it may be for the present," he wrote, on the day after his Parliamentary defeat, "a cloud may lie over our actions to those who are not acquainted with the grounds of them, yet we doubt not but God will clear our integrity and innocency from any other ends we aim at but His glory and the public good."²

Cromwell, indeed, was not easily rebuffed, and the Royalist negotiators, far more eager for an arrangement than their master, were already reporting that Ireton had given them assurances that the Parliamentary vote would not be accepted at headquarters as decisive against the continuance of the efforts of the army to achieve a more reasonable settlement.³ On the 24th, obviously as an appeal to popular opinion, *The Heads of the Proposals* were republished, together with certain explanations which had been made by the Council of the Army on the 16th. On the 25th the House of Commons, where the majority was still Independent except when an agreement with the King was proposed, impeached the Lord Mayor, Sir John Gayer, and five aldermen as having been concerned in raising forces in the City against the army.⁴ On the 27th the House ordered the preparation of an Ordinance excluding delinquents from

¹ Upton to Edwards, Sept. 15, *Clarendon MSS.* 2,605.

² Cromwell to Michael Jones, Sept. 24, *Carlyle Letter*, xlv.

³ Newsletter, ^{Sept. 24}_{Oct. 4}, *Roman Transcripts*, R.O.

⁴ *C.J.* v. 315.

all municipal offices, or from voting at municipal elections.¹ On the 28th Alderman Warner, a determined Independent, was chosen Lord Mayor, the approaches to the Guildhall being guarded at the time of his election by a strong body of soldiers.² The great City of London was thus cowed into submission. On October 6 the Ordinance regulating municipal elections was finally issued with the approval of both Houses.³

The fleet was almost as Presbyterian as the City, and, to secure a hold on it, the Houses voted on the 8th that Rainsborough, who had been a sailor before he was a soldier, should command it as Vice-Admiral in the place of the Presbyterian Batten.⁴ It is by no means unlikely that those who concurred in the vote were partly actuated by a desire to separate from the army one whom they were beginning to regard as a ringleader of sedition. The party amongst the soldiers whom Cromwell had indicated as wishing 'to have no other power to rule but the sword'⁵ was rapidly gaining strength, and that party regarded Rainsborough as its principal spokesman amongst the officers. There was, it was said, a spirit of parity walking in the army. Many of the soldiers were asking that no Duke, Marquis, or Earl should have more than 2,000*l.* a year, and that the income of other classes should be proportionately restricted. Those in both Houses who had property began to show an unwonted desire to come to terms with the King.⁶

This feeling in favour of an accommodation could

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Sept. 28.
An Independent
Lord
Mayor.

Oct. 6.
Ordinance
for
municipal
elections.

Oct. 8.
The
Commons
make
Rains-
borough
Vice-
Admiral.

Oct. 5.
A spirit of
parity in
the army.

¹ *C.J.* v. 317.

² Newsletter, Oct. 11, *Roman Transcripts, R.O.*

³ *L.J.* ix. 470.

⁴ *Ib.* ix. 476; *C.J.* v. 328.

⁵ See p. 201.

⁶ Letter of Intelligence, Oct. 5, *Clarendon MSS.* 2,611.

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LIV.

1647

Oct. 6.
The army
leaders
decide
upon a
fresh nego-
tiation
with the
King.
An Army
Council
summoned.

Good
prospect of
a settle-
ment.

Oct. 7.
A Royalist
council.

The King
is not con-
ciliatory.

not but strengthen the hands of those members of the Army Council who had been dissatisfied with the attitude of the House of Commons. On October 6 they resolved that a fresh attempt should be made to negotiate with Charles on conditions more satisfactory to him than those which Parliament was forcing upon him.¹ In order that these conditions might be fully weighed, the Army Council was summoned to meet on the 14th, with a view to a full discussion. In the meanwhile, attempts were made to come to a preliminary understanding with Berkeley and Ashburnham, who were acting on the King's behalf. Berkeley and Ashburnham were in the highest spirits, not hesitating to express their belief that everything would be settled in a week. The army chiefs, as an evidence of their sincerity, allowed the friends from whom Charles had long been severed to gather round him at Hampton Court, and, on the 7th, the King held a council, attended by Richmond, Hertford, Ormond, Dorset, Southampton, and Seymour. No doubt the newly-suggested compromise formed the main subject of discussion.²

Charles, unfortunately, was not prepared to meet the army leaders half-way. "The secret disposition," wrote one of his partisans, "is that there is no manner of agreement between the King and the army; all this negotiation having produced no other effect but to incline some of the chief officers not to consent to his

¹ "Dopo tre giorni in quà la risoluzione e stata presa per i Capi di ritornare in trattato con il Rè, e di proporgli conditioni honorabili e piu adequate. A questo fine per risolvere tutte divisioni e controversie che sono fra di loro . . . hanno assegnato un luogo e determinato un giorno, che sarà li 24," i.e. $\frac{1}{2}$ 4, "del corrente, per convenire tutti insieme e stabilire concordemente e di commun consenso come deono portarsi verso il Rè." Newsletter, Oct. $\frac{1}{18}$, *Roman Transcripts*, R.O.

² *Ib.*; *A Perfect Diurnal*, E. 518, 43.

destruction, which I believe they will not, unless they be overswayed; but cannot observe that they are so truly the King's as that they will pass the Rubicon for him, which if they would do, considering the inclination of the common soldiers, and generally of the people, they might do what they would; but they are cold, and there is another faction of desperate fellows as hot as fire."¹

Cromwell, in short, was expected to aid in a purely Royalist reaction. Marten and his friends had made up their minds that he had already bargained for his reward. He had, it was said, obtained from the King the promise of the Earldom of Essex and the garter. If this were true, said Marten, and he at least had no doubt about its accuracy, he himself would be another Felton.² So excited were the Republicans against Cromwell, that he had from time to time to change his quarters through fear of assassination.³

Rumoured
offers to
Cromwell.

The feeling amongst the soldiery that led to this exasperation against Cromwell, led also to exasperation against the King. Cries were raised in the army for the dismissal of the Royalist noblemen who had been admitted to Charles's presence.⁴ Charles on his part was willing, for reasons of his own, to part with his new counsellors. He had come to the conclusion that the army leaders had allowed them to come to him

Oct. 11.
The
Royalist
council
dismissed.

¹ Letter of Intelligence, Oct. 7, *Clarendon MSS.* 2,616.

² Wildman's *Truths Triumph*, p. 7, E. 520, 33. Marten is plainly indicated, though his name is not given. The story may be approximately dated by connecting it with Berkeley's statement that Cromwell believed him to have told Lady Carlisle that Cromwell was to be Earl of Essex. Berkeley declared, however, the supposition to have been without foundation. This was after the establishment of head-quarters at Putney. That the earldom was offered to Cromwell is likely enough.

³ Berkeley's *Memoirs*, 44.

⁴ *A Perfect Diurnal*, E. 518, 43.

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Arrival of
Scottish
commis-
sioners.Proposal to
remove
Charles
from
Hampton
Court.

merely because they were frightened at the strength of popular opinion in his favour, and that by sending the noblemen away, he would give practical evidence of his refusal to accept any terms from Cromwell and Ireton. On the 11th, accordingly, the noblemen returned to London with Charles's full consent, if not by his express orders.¹

The fact was that the approach of the two new Scottish commissioners, Loudoun and Lanark, who joined Lauderdale in London on the 11th, had inspired the King with fresh hopes, and the army leaders with fresh fears. The belief gained ground that they brought with them the menace of a Scottish invasion, and it was evident that, if the army were to march northwards to oppose that invasion, it would be in the highest degree improvident to leave Charles in his present temper in the neighbourhood of a city which was filled with his partisans. It had therefore been proposed by some of the officers, possibly by Cromwell himself, that if the army marched to the borders, the King should be compelled to accompany it. To this Charles, who was soon made aware of all that passed amongst the officers, opposed a most strenuous

¹ "Il Rè . . . fu avvisato che il tutto non era che una apparenza per quietare il popolo, e ingannare S.M., visto che nel medesimo tempo, per ordine dell' Armata, il Parlamento faceva d' altre propepositioni ripugnanti all' ottoirità Regia, e medesimamente alla sua libertà ; onde doi giorni appresso, il Rè di suo moto proprio licentiò questi Signori per disingannare il popolo, e fece sapere nel medesimo tempo e al Parlamento e ai Capi dell' Armata che, se havessino intrapreso d' allontanare la sua Persona da Londra e di trasportarla altrove, come molto bene sapeva essere il loro disegno, pensassino per questo mezzo d' allontanarlo anche dal cuore, e dall' affettione del popolo, che non lo farebbono che con violenza e forza contro la sua persona, cosa bastante per cagionare una commutatione universale per tutto il regno." Newsletter, Oct. 13, *Roman Transcripts, R.O.*

resistance, declaring that nothing but force would induce him to leave his present quarters.

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Failure
of the
negotia-
tions.

Obviously the attempt of Cromwell and Ireton to come to terms with Charles had broken down; and, as might have been expected, each party to the negotiations threw the blame on the other. Charles held that the army had only offered him terms in order to sow division between himself and his subjects. The officers held that Charles only talked of conciliating them in order to divert their attention from the general attack upon them which he was preparing.¹ When the Army Council met, as had been announced, on the 14th, nothing was said about any negotiation with the King. The discussion, on the other hand, turned on the necessity of forcing Charles to accompany the army if it was called on to resist a Scottish invasion.² For the present, however, no decision was arrived at, as no measures could be taken till the intentions of the Scots had been more clearly manifested.

Oct. 14.
Meeting
of the
Army
Council.

¹ Newsletter, Oct. 1 $\frac{2}{3}$, *R.O. Transcripts*.

² Letter of Intelligence, Oct. 14, *Clarendon MSS.* 2,624.

CHAPTER LV.

THE AGREEMENT OF THE PEOPLE.

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LV.

1647

Rumoured
difference
between
Cromwell
and Ireton.Cromwell
seeks a
compromise with
the Pres-
byterians.Oct. 13.
The Lords'
scheme for
a settle-
ment of
religion.

AT the time when the last overtures of the army were rejected by Charles, there were rumours that a difference of opinion had arisen between Cromwell and Ireton, a difference which was said to be caused by Ireton's dissatisfaction with Cromwell's desertion of the King's interests.¹ Though no more than this is known, the most probable explanation is that Cromwell, though not as yet prepared for a breach with the King, perceived that it would be necessary, if he was to be brought to terms, to put stronger pressure on him than could be put by the army alone. At all events, it is at this time that Cromwell is found aiming at a compromise with the Parliamentary Presbyterians, a compromise which was embodied in a scheme accepted by the Lords on October 13, and brought on for discussion in the Commons on the same day.

According to this scheme, Presbyterian government was to be established in the Church for three years—the very period for which the King's assent was secured;² whilst, with certain exceptions, those

¹ "There hath been of late some difference between Cromwell and Commissary Ireton; and I am induced to think it to be the falling off of Cromwell from the King, because that Ireton, like an honest man, stands to make good what he hath promised, and lately, in discontent, offered to quit his command in the army." Letter of Intelligence, Oct. 11, *Clarendon MSS.* 2,622.

² See pp. 69, 70.

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who were desirous of worshipping in any other way were to be at liberty to do so, provided that they did nothing in disturbance of the peace of the kingdom. The exceptions were those who professed 'the Popish religion,' and those who departed from the Christian religion as set forth in the Apostles' Creed, or held such doctrines as would render them liable, according to the recent Ordinance, to suspension from communion. Further, no one was to be freed from the penalty attached to those who did not attend divine service on the Lord's day unless he could show either a reasonable cause of absence, 'or that he was present to hear the Word of God preached or expounded unto him elsewhere.'¹

On the morning of the 13th, the day on which the Lords' proposal was to be discussed in the House of Commons, Westminster Hall was filled by a motley crowd of Roman Catholics, of seekers who professed that they were still in search of a religion, and of rationalists who declared themselves ready to conform to the dictates of reason only.² To these Cromwell had no help to give. Aiming at objects within the scope of practical achievement, he contented himself with supporting the scheme already adopted by the Lords. Though he acted as teller in a division in favour of the three years' limit for the Presbyterian establishment, he was beaten by 38 to 35; and was again beaten by 41 to 33 on an amended proposal to fix the limit to seven years. The House then adopted without a division a resolution that the Presbyterian discipline should remain

A crowd
in West-
minster
Hall.

Presby-
terianism
to be
settled till
the end of
the next
session.

¹ *The Moderate Intelligencer*, E. 410, 25; *L.J.* ix. 482.

² Newsletter, ^{Oct. 23} Nov. 1, *Roman Transcripts*, R.O.

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Question
of tolera-
tion for the
Catholics.

Selden and
Marten
plead for
them.

in force till after the next session of Parliament, whenever that might be.¹

The remaining clauses relating to toleration and its limits were then run through without any further division. Selden,² indeed, pleaded hard for the Catholics as believers in Jesus Christ, and was supported by Marten, who boldly asked why Presbyterians were to be tolerated if Catholics were excluded. The common-place answers were promptly forthcoming. Selden was told that the Catholics were idolaters, and Marten was answered with the argument that the Catholics unlike the Presbyterians had a foreign prince at their head.

Oct. 14.

On the following day Selden and Marten replied at length. Selden drew the well-known distinction between idolatry and prayers for the intercession of the saints; whilst Marten, with his accustomed license of speech, carried the attack into the quarters of the Presbyterians. It was better, he said, to have one tyrant abroad than a tyrant in every parish, and even added³ that the Protestant clergy detested the Catholic priests simply on account of their superior chastity.⁴ Marten's words were not likely to carry much weight on a question of moral purity, and the House without a division persisted in refusing toleration to the Catholics. The victims of the Recusancy laws had indeed prepared a petition, in which they renounced the opinion that it was lawful to murder or resist excommunicated kings.⁵ It was all to no purpose. Even those Independents who

A pro-
posed
Catholic
petition.

¹ *C.J.* v. 332.

² "Seldenus Independente, e tutto interamente Ecclesiastico sine ecclesiâ." Newsletter, ^{Oct. 22}_{Nov. 1}, *Roman Transcripts, R.O.*

³ "Non e semetipso, sed a Spiritu Sancto." *Ib.*

⁴ *Ib.*

⁵ Salvetti's Newsletter, ^{Oct. 22}_{Nov. 1}, *Add. MSS.* 27, 962, L, fol. 457.

had hitherto supported their claims could do nothing for them, and their petition was not even presented to the House.¹ It was one thing to grant Catholics toleration in accord with a restored King. It was another thing to wring its concession from a hostile public opinion.

Even on a point on which public opinion was far less decided Cromwell was unable to reduce his new Presbyterian allies to reason. The House having refused to decrease the exceptions from toleration, proceeded to include amongst them all who used the Book of Common Prayer.² Thus amended, the Parliamentary Propositions became a direct defiance flung in Charles's face. As Cromwell did not even take a division on this proposal, it may reasonably be supposed that he saw opposition to be hopeless. On the 16th he acted with Marten as a teller in favour of a proposal for immediately taking into consideration 'the manner of the address to be made to the King.'³ They were beaten by a conjunction of Independents and Presbyterians, but it is easy to understand that Cromwell desired to hasten the presentation of this impracticable scheme in order to get rid of it by the King's inevitable rejection, and thus to prepare the way for a more reasonable settlement if such a settlement was to be had. Marten, on the other hand, was eager for haste because he desired no settlement in which the King should take a part.

Every day that passed in uncertainty was increasing the difficulties of Cromwell's position. In the army the anti-monarchical party was gathering strength. King and Parliament, it seemed, had tried their hands at bringing about a settlement, and had

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Toleration
to be
denied
to those
who use
the Prayer
Book.

Oct. 16.
Cromwell
and
Marten
urge haste.

Growing
divisions
in the
army.

¹ Newsletter, *Oct. 22*, *Roman Transcripts, R.O.*

² *C.J.* v. 333.

³ *Ib.* v. 335.

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tried their hands in vain. Nor had Cromwell's effort to mediate failed less signally. The obvious inference was that King and Parliament were seeking nothing but their own ends, and that Cromwell was a base intriguer, as self-seeking as the rest. It was even reported that the Republicans in the army and in Parliament were preparing to impeach him.¹

Five
regiments
change
their
Agitators.

Oct. 9.
*The Case
of the
Army,*

Oct. 18,
laid before
Fairfax.

Its com-
plaints.

Remedies
proposed.

The dissatisfaction felt in the army with the policy of their commanders was especially strong in five regiments. These regiments, after cashiering their Agitators, elected new ones, who set themselves, under the influence of Lilburne and his disciples, to prepare a manifesto bearing the title of *The Case of the Army truly stated*. This manifesto was completed on October 9, and on the 18th was formally laid before Fairfax.²

In this manifesto the new Agitators, speaking in the name of the five regiments, complained that no serious step had been taken to redress those grievances of which complaint had been made in the Declarations set forth by the army in June. The remedies which they now proposed included a dissolution of Parliament in less than a year, and an immediate purging of the existing House by the exclusion of those who had continued to sit in the absence of the Speakers, the purged House being expected to give public approval to the action of the army in marching upon Westminster in August. As for the future, the views put forward had all the charm of novelty. There was to be a 'law paramount,' unalterable by future Parliaments, establish-

¹ Letter of Intelligence, Oct. 18, *Clarendon MSS.* 2,627.

² *The Case of the Army*, E. 411, 9. It was said that the new Agitators only represented a minority even in the five regiments, and one sanguine opponent reckoned the whole number of their supporters as 400. *Papers from the Army*, E. 411, 19.

ing biennial Parliaments, which were to be elected by manhood suffrage, except that delinquents were to be deprived of their electoral rights. These Parliaments were to have the supreme right of legislation and of calling public officials to account, the authority of the King and House of Lords being thus by implication abrogated. This startling innovation was justified on the ground that 'all power is originally and essentially in the whole body of the people of this nation, and' that 'their free choice or consent by their representators is the only original foundation of all just government.'

The modern reader of this document feels himself in the midst of ideas with which he is perfectly familiar. The 'paramount law' reminds him of the constitution of the United States, and the attribution of all power to 'the whole body of the people' reminds him of Rousseau's Social Contract. Yet, modern as was the character of these proposals, they had their roots in the past. Roman jurists had derived Imperial despotism from the sovereignty of the people, and this explanation had been used by Hooker to defend the control exercised by Elizabeth over the Church. Though the idea of a 'paramount law,' familiar to us from the history of our own commonwealth and of the American Republic, was indeed for the first time enunciated in set terms, yet there had been a preparation for its reception in the notion of the existence of those fundamental and unchangeable laws to which both King and Parliament had, of late, been in the habit of appealing.

The immediate origin of this remarkable manifesto, however, is to be traced not to the study of the past, but to the needs of the moment. When King, Parliament, and Army Council had all failed separately and

Modern
appearance
of these
proposals.

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conjointly to give to the nation the peace and order for which it longed, it was only natural that there should be found some who imagined that their ends could be secured by sweeping away the fabric raised without design in the course of centuries, and by substituting for it a new one of their own building based on abstract principles.

Cromwell
and the
Levellers.

To the doctrines of these men—now beginning to be known as Levellers¹—no one could be more hostile than Cromwell. Yet it was hard to say how he could hold his ground against them. The House of Commons and the King were alike impracticable. On the 16th Charles told Bellièvre, who had come to take leave of him on his return to France, that he now counted on divisions in the army which would compel one or other party to place itself on his side.² Prudent Royalists might deplore the King's resolution to accept no compromise, but they were powerless to change it. There are, wrote one of them on the 18th, 'many moderate men, even amongst the Independents, who desire monarchy, and are not ill-affected to the King's person; but do fear the King's design is, if he prevail, to root out the Puritan party, under which name both the Presbyterian and Independent are involved.' "His Majesty," wrote the same correspondent two days later, "holds firm to his first principles, not to do anything to the prejudice of his posterity, of the Church, nor of his friends; in every one of which points, the generality of the Houses do desire to give him some satisfaction; for I believe all men of estates do fear a new war; and no less lest

Oct. 16.
The King
will not
hear of
a com-
promise.

Oct. 18.
Royalist
fore-
bodings.

Oct. 20.

¹ The name first appears in a letter of Nov. 1 (*Clarendon MSS.* 2.638), but it must obviously have been in existence before. Like most other party names, it began as a nickname.

² Grignon to Brienne, Oct. 14th, *R.O. Transcripts.*

the popular party in the Houses and the army should prevail."¹

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Cromwell's
speech on
behalf of
monarchy.

Amongst those who desired to give satisfaction to the King, Cromwell is undoubtedly to be reckoned. On the 20th he appeared in the House of Commons, and took occasion, by a motion for limiting to seven the number of Royalists excluded from pardon, to plead the cause of monarchy. For three hours he held the attention of the House, urging it to re-establish the throne with the least possible delay, giving at the same time the strongest assurances that neither himself nor Fairfax, nor any of the chief officers, had any hand in the proposals of the five regiments, and asserting positively that his aim during the whole war had been to strengthen and not to destroy monarchy.²

If more of this remarkable speech had been preserved, it would probably be seen how far Cromwell's conception of monarchy differed from that of Charles. Little as Cromwell cared for the details of constitutional forms, he was not the man to assent to the re-establishment of the throne without some permanent constitutional checks which should render the recurrence of past abuses impossible. Yet it was precisely to this that Charles refused to agree: and when he declared that he would do nothing against his friends,

Two con-
ceptions
of mon-
archy.

¹ Letters of Intelligence, Oct. 18, 20, *Clarendon MSS.* 2,627.

² "Fa tre giorni, che a questo effetto Cramver . . . si usurpò una udienza di tre hore, nella quale si sforzò con tanta d' eloquenza come d' ipochrisia e di dissimulatione . . . a persuadere al resto del corpo parlamentario, che lui e il General Farfax, e tutti li Capi dell' Armata non havevano in nessuna maniera parte nelli disegni di quali reggimenti che si erano divisi, ma che il lor fine e la loro volontà dal principio della guerra non era stata altra che di servire al Rè, e di stabilire la monarchia nel suo potere. Parlò egli in tutto il tempo della sua arringa molto avvantaggiosamente per il Rè, concludendo che bisognava restabilirlo più presto che si poteva." Newsletter,

Oct. 22
Nov. 1, *Roman Transcripts, R.O.*

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his Church, and his posterity, he meant precisely what the Levellers meant by their 'paramount law,' that there was a political and ecclesiastical order which no stress of difficulty, no manifestation of the national will, was of any avail to change or to overthrow. Cromwell, who knew nothing of such abstract rights, was forsooth to be counted as a self-seeking hypocrite because he lent a favourable ear to the proposals of all parties alike, whilst refusing to worship at the shrine of any one of them.

Oct. 28.
An army
meeting in
Putney
Church.

As Cromwell had stood forth as a reconciler between King and Parliament, he stood forth as a reconciler between the parties into which the army was divided. On the 28th a meeting of the Army Council was held in Putney Church to which Wildman and other prominent Levellers¹ were admitted, as well as the Agitators recently elected by the five regiments. At this meeting, the object of which was to find some terms of agreement between the supporters and opponents of *The Case of the Army*, Cromwell took the chair, Fairfax being absent on the ground of ill-health. Sexby was the first to set forth the case of the new Agitators.² "We sought," he said, "to satisfy all men, and it was well; but in going to do it, we have dissatisfied all men. We have laboured to please the King; and I think, except we go about to cut all our throats we shall not please him; and we have gone to support a House which will prove rotten studs:³ I mean the Parliament, which consists of a company of rotten members." Cromwell and Ireton, he added, had attempted to settle the

Sexby's
view of the
situation.

¹ *A Perfect Diurnal*, E. 520, 1.

² The whole of the debate of the 28th is from the *Clarke Papers*, i. 226-279.

³ *i.e.* rotten wooden uprights supporting a lath and plaster wall. See *Clarke Papers*, i. 228, note a.

kingdom on the foundations of the King and the Parliament; but he hoped that they would do no more in that direction, and that henceforth they would rely upon the army.

Sexby's last words drew forth from Cromwell and Ireton an explanation of their conduct. "I shall declare it again," said Ireton, "that I do not seek, and would not seek the destruction either of Parliament or King; neither will I . . . concur with them who will not attempt all the ways that are possible to preserve both, and to make good use, and the best use that can be of both for the kingdom."

Cromwell
and Ireton
on their
defence.

After this personal explanation the meeting proceeded to consider *The Agreement of the People*, which had been drawn up by the new Agitators in order that the views expressed by them in *The Case of the Army*,¹ might receive the definite shape of a new constitution, which would derive its authority from the direct acceptance of the people. Cromwell at once acknowledged that it contained many things that were plausible. The question was whether it was possible to reduce them to practice. "If," he characteristically said, "we could leap out of one condition into another that had so specious things in it as this hath, I suppose there would not be much dispute; though perhaps some of these things may be very well disputed; and, how do we know if, whilst we are disputing these things, another company of men shall gather together, and they shall put out a paper as plausible as this? I do not know why it may not be done by that time you have agreed upon this, or got hands to it, if that be the way; and not only another and another, but many of this kind; and if so, what do

Cromwell
on *The
Agreement
of the
People*.

Many
plausible
things in
it.

How is it
to gain
general
accept-
ance?

¹ See *Clarke Papers*, i. 237, note 1.

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1647

It will lead
to con-
fusion.

you think the consequence of that would be? Would it not be confusion? Would it not make England like the Switzerland country, one canton against another, and one county against another? I ask you whether it be not fit for every honest man seriously to lay that upon his heart, and, if so, what would that produce but an absolute desolation to the nation; and we, in the meantime, tell the nation 'It is for your liberty! 'Tis for your privilege!' Pray God it prove so, whatever course we run.

Difficulties
in the way.

"But, truly, I think we are not only to consider what the consequences are . . . but we are to consider the probability of the ways and means to accomplish [it],¹ that is to say that, according to reason and judgment, the spirits and temper of this nation are prepared to receive and go along with it, and [that] those great difficulties [which] lie in our way [are] in a likelihood to be either overcome or removed. Truly to anything that's good, there's no doubt on it, objections may be made and framed, but let every honest man consider whether or no there be not very real objections in point of difficulty; and I know a man may answer all difficulties with faith, and faith will answer all difficulties really where it is, and we are very apt all of us to call that faith that perhaps may be but carnal imagination, and carnal reasoning.²

Can faith
remove
them?

It is
necessary
to calcu-
late conse-
quences.

"Give me leave to say this:—there will be very great mountains in the way of this. . . . It is not enough to propose things that are good in the end; but it is our duty as Christians and men to consider consequences. . . . But suppose this model were an

¹ The words in brackets are inserted to eke out the sense.

² The usual notion that Cromwell was accustomed to make unctuous addresses to the soldiers will hardly survive this.

excellent model and fit for England and the kingdom to receive; but really I shall speak to nothing but that that, as before the Lord, I am persuaded in my heart tends to uniting of us in one to that that God will manifest in us to be the thing that he would have us prosecute; and he that meets not here with that heart, and dares not say he will stand to that, I think he is a deceiver."

Cromwell ended with a practical suggestion. Let the Council of the Army review those engagements to the neglect of which attention had been called, after which it would be possible to reply to the complaints of the new Agitators. When the existing engagements of the army, entered upon at Newmarket and Triploe Heath, were fully known, it would be open to anyone who so wished 'to tender anything for the good of the public.'

This indefinite postponement of the constitutional debate was not to the taste of the Levellers. Wildman, who followed, fixed on Cromwell's proposal as merely dilatory. Abandoning the ground taken by the new Agitators, he declared that no man was bound by engagements which he himself considered unjust. As the debate threatened to take an angry turn, Cromwell proposed the appointment of a committee to take into consideration all questions at issue, and more especially the binding force of the engagements of the army. He hoped, he said, that in this way God would unite them in one heart and mind. He would rather resign his commission than that the kingdom should break in pieces. Here Colonel Goffe, whose mind was steeped in religious enthusiasm, broke in with the suggestion of a prayer meeting, at which God might be implored to give them the spirit of unity. Cromwell at once assented

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They must agree among themselves,

and review their engagements.

Wildman's reply.

Cromwell proposes a committee.

Goffe asks for a prayer-meeting.

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Cromwell
protests
against
party
spirit.

on condition that there should be no delay. At his instance it was settled that the prayer meeting should be held on the following morning, and that the committee should meet in the afternoon of the same day.¹

Once more Cromwell urged all present not to 'meet as two contrary parties,' but as men desirous of giving satisfaction to one another. "I had rather," he declared, "we should devolve our strength to you than that the kingdom, for our division, should suffer loss; for that's in all our hearts to profess, above anything that's worldly, the public good of the people; and if that be in our hearts truly and nakedly, I am confident it is a principle that will stand. Perhaps God may unite us and carry us both one way."

A dis-
cussion on
natural
rights.

Few of those to whom Cromwell now addressed himself were in a temper to profit by his exhortation. Wildman recommended haste in coming to a decision on the ground that Parliament might anticipate the army by patching up some arrangement with the King to the detriment of the natural rights of the people; whereupon he was vehemently attacked by Ireton, whose constitutional opinions were more definite than those of his father-in-law. Property, said Ireton, depended on contract, not on natural right. Wildman's assertion to the contrary contained 'venom and poison.' Captain Audley attempted to draw aside attention from this unseemly charge by supporting Wildman's contention that time was precious. "If we tarry long," he said, "the King will come and say who will be hanged first." Neither Ireton nor Wildman were, however, to be recalled

¹ "Cromwell when in difficulties," writes Mr. Firth in his preface to vol. i. of the *Clarke Papers*, "generally moved for a committee; Goffe invariably proposed a prayer-meeting."

to such practical considerations, and a long wrangle followed between them, Cromwell occasionally intervening with a plea for a more conciliatory temper.

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This painful scene had at least one satisfactory result. It taught Cromwell that it was not enough to criticise the opinions of the Levellers without the enunciation of any political faith of his own. Though the Council of the Army, he now said, was not 'wedded and glued to forms of government,' it acknowledged 'that the foundation and the supremacy is in the people—radically in them—and to be set down by them in their representations.'¹ It is probable that Cromwell failed to realise that by enunciating the doctrine of popular sovereignty he had broken with the King for ever. Cromwell would have had Charles to be king as William III. was afterwards a king. It was a condition to which Charles would never stoop. To do so would be to betray the inalienable rights of his posterity.

Cromwell declares his principles.

On the 29th,² when the prayer meeting had come to an end,³ it was resolved after a long discussion to lay aside the consideration of the engagements by a committee, and to examine the *Agreement of the People*.

Oct. 29.
The *Agreement of the People* produced.

The constitutional scheme of the Levellers was probably the shortest ever committed to paper, as it consisted of four articles only. The first required that the constituencies should be 'more indifferently proportioned according to the number of the inhabitants;' by the second, the existing Parliament was to be dissolved on September 30, 1648; by the third, future Parliaments were to be biennial, sitting every other year from the first Thursday in April to the last day

Its provisions for biennial Parliaments.

¹ *i.e.* by means of their representatives.

² This day's debate is in the *Clarke Papers*, i. 280-363.

³ There is no trace in the report in the *Clarke Papers* of Cromwell's taking any part in its prayers.

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Authority
of Parlia-
ments
to be
supreme,

except in
reserved
cases.

The Agree-
ment of the
People
compared
with
American
State con-
stitutions.

of September, and no longer.' Thus far the *Agreement of the People* was drawn on the same lines as *The Heads of the Proposals*, except so far as the demand made in the first article of the *Agreement* that representatives might be elected in proportion to the population, differed from the demand made in *The Heads of the Proposals* that they should be elected in proportion to the rates. The fourth article, widely departing from that model, was an expansion of the doctrine of a 'paramount law' set forth in *The Case of the Army*. For most purposes the biennial Parliament—consisting by implication of a single elected House—was to be supreme. It might make, amend, and repeal laws; erect and abolish offices and courts; call officials to account; conduct negotiations with foreign Powers; make peace and declare war, or do anything else which was not 'expressly or impliedly reserved by the represented to themselves.'

These reservations were five in number. It was not to interfere with the most absolute religious liberty; it was not to press men 'to serve in the wars;' it was not to call any man in question for the part taken by him in the late struggle, except in carrying out sentences pronounced by the existing Parliament; it must not exempt anyone 'from the ordinary course of legal proceedings;' and finally, 'as the laws ought to be equal, so they must be good, and not evidently destructive to the safety and well-being of the people.'¹

The *Agreement of the People* was the first example of that system which now universally prevails in the State Governments of the American Republic.² In both countries the idea of restraining the authority of the legislative body by reserving certain matters

¹ *An Agreement of the People*, E. 412, 21, is printed in the Appendix to this volume.

² See Bryce's *American Commonwealth*, Part ii.

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to be dealt with by the people themselves, arose from the same cause—jealousy of the representative body. Yet the difference between the *Agreement of the People* and an American State constitution is enormous. In America, at the present day, the intervention of the people is an active, living force. The people make and unmake constitutions with decisive rapidity. The *Agreement of the People* was but the dream of a few visionaries. Its authors prescribed no way in which the people should be asked to adopt it, though they probably intended to circulate it for public subscription; and they breathed no word of the possibility that the people, even if they once adopted it, might be inclined to change it. Their omission was by no means accidental. It arose from the stern fact, to which they wilfully closed their eyes, that the English people were irreconcilably hostile to them and to their teaching.

It was the unreality of the popular support appealed to in the *Agreement of the People* which gave strength to Cromwell and Ireton in their contention with the Levellers. As is often the case, when men are divided on questions of principle, it was on a side issue that the conflict began. When the first article of the *Agreement* had been read, Ireton asked whether the declaration that the constituencies were to be ‘proportioned according to the number of the inhabitants’ implied that there was to be manhood suffrage, or that the old suffrage instituted ‘by that constitution which was before the Conquest, that hath been beyond memory,’ was still to be retained. Rainsborough at once declared in favour of manhood suffrage. “I think,” he said, “that the poorest He that is in England hath a life to live as well as the greatest He; and, therefore, truly,

Opposition
to it.A debate
on man-
hood
suffrage.Discussion
between
Rains-
borough
and Ireton.

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sir, I think it clear that every man that is to live under a government ought, first, by his own consent, to put himself under that government." Ireton retorted that this argument relied on 'an absolute natural right,' and denied 'all civil right.' No one, he contended, in words which came to have a familiar sound in the early part of the 19th century, ought to have a vote who had 'not a permanent fixed interest in the kingdom.' Those whose duty it was to choose the legislature were 'the persons who, taken together, do comprehend the local interest of this kingdom, that is, the persons in whom all land lies, and those in corporations in whom all trading lies.' If this fundamental rule were set aside, property would be set aside as well. In reply, Rainsborough drew attention to the evil results of the existing system. "A gentleman," he urged, "lives in a country, and hath three or four lordships as some men have—God knows how they got them—and when a Parliament is called, he must be a Parliament man; and it may be sees some poor men—they live near this man—he can crush them."

The debate
grows hot.

The debate grew hot, and at last Rich came to Ireton's help. Five men out of six, he said, had no permanent interest in the kingdom. If votes were given to the five, they would only sell them, as had been done at Rome, 'and thence it came that he that was the richest man, and of some considerable power among the soldiers, made himself a perpetual dictator; and if we strain too far to avoid monarchy in kings, [let us take heed] that we do not call for emperors to deliver us from more than one tyrant.' Arguments of this kind were bandied to and fro, till agreement seemed well nigh hopeless. After a while Sexby struck in, carrying the debate outside the

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region of argument. There were, he said, thousands of soldiers as poor as himself, who had ventured their lives for their 'birthright and privileges as Englishmen.' Why were they to be told that unless they had a fixed estate they had no birthright. He, for one, would surrender his birthright to no man. "Rather," replied Ireton, "than make a disturbance to a good constitution of a kingdom wherein I may live in godliness, and honesty, and peace, I will part with a great deal of my birthright."

After a while, Cromwell thought it time to intervene, expressing dissatisfaction with Sexby's language, 'because it did savour so much of will.' Why could not the meeting avoid abstract considerations, and content itself with discussing the question how far the existing franchise could safely be enlarged. Might not, for instance, copyholders be admitted to vote as well as freeholders? Sir Hardress Waller was even more practical. Would the burden of the people, he asked, be lightened by papers? "If the four evangelists were here and lay free quarter on them, they will not believe you."

Cromwell
intervenes.

Doubtless Rainsborough perceived, as he glanced around, that his supporters, amongst those present, were but few, and he therefore asked that the question at issue might be referred to the whole army at a general rendezvous. The proposal found no support, and the meeting, as far as any evidence before us goes, broke up without coming to a decision.

Rains-
borough
proposes
a reference
to the
army at
large.

Accordingly, on the morning of the 30th,¹ the committee proposed by Cromwell two days before met to consider the manifestoes put forward by the army in June, as well as the more recent *Agreement of the*

Oct. 30.
Meeting of
the com-
mittee.¹ *Clarke Papers*, i. 363-367.

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It prepares
a new con-
stitutional
scheme.

People, and also ‘to collect and prepare somewhat to be insisted upon and adhered unto for settling the kingdom, and to clear our proceedings hitherto.’ The deliberations of the committee worked far more smoothly than those of the general meeting. Avoiding all points of controversy, it set down the heads of yet another constitutional scheme. Wisely beginning with the points least in dispute, it agreed to articles fixing the dissolution of the existing House of Commons on September 1, 1648, and establishing biennial Parliaments. It then adopted from *The Heads of the Proposals* a scheme for erecting a Council of State, taking care in so doing to introduce the King’s name, which, in the *Agreement of the People*, had been passed over in silence. When the thorny question of the suffrage was at length reached, the committee contented itself with a resolution that there should be a redistribution of seats, in order to bring the representation into due proportion to the population, whilst the question of the franchise itself was left to be settled by the existing Parliament. The utmost concession which the committee made to the Levellers on this head was to couple their reference of the franchise to the Houses with the expression of a desire that the right of voting might be conferred on all who had served the Parliament during the late war, or had voluntarily assisted it with money, plate, horses, or arms; and that, on the other hand, no delinquent might be allowed to vote. Moreover, no Peer created since May 21, 1642, was to have a seat in the House of Lords without the consent of both Houses.

General
character
of the
scheme.

In the main, therefore, in spite of amendments in a popular direction, the committee, of which Sexby and Rainsborough, as well as Cromwell and Ireton, were members—upheld the general principles of *The*

Heads of the Proposals. The new constitution was to be brought into existence by an understanding with the King and the House of Lords, not to be a direct emanation from the people, sweeping both King and Lords away. No better illustration of Cromwell's pertinacity in clinging to the old institutions of the realm can well be found.

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CHAPTER LVI.

THE FLIGHT TO CARISBROOKE.

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Oct. 22.
The
Scottish
commis-
sioners
with the
King.Oct. 23.
They urge
Charles to
escape.Ashburn-
ham with-
draws his
parole.

THE ground on which Cromwell had taken his stand had for some time been giving way beneath his feet. On October 22, the Scottish commissioners, Loudoun, Lauderdale, and Lanark, visited Charles at Hampton Court, and left behind a declaration in writing that Scotland was prepared to assist him in the recovery of his throne, having previously given him a verbal assurance that, if he would in other respects satisfy them about religion, the Covenant would not be pressed against him.¹ Not long afterwards they reappeared at Hampton Court with a suite of fifty horsemen, and urged Charles to make his escape under their escort. Charles answered that he had given his word of honour not to escape, and that 'till he had freed himself of that, he would die rather than break his faith.'²

Charles's first attempt to free himself from his obligation had that character of indirectness which he dearly loved. Some time before, Ashburnham had engaged to Whalley that the King would not escape, giving Whalley to understand that the King's word was pledged with his own. Ashburnham now, by Charles's orders, withdrew his parole, on the plea that 'the Court was so much Scottified that he feared there

¹ The Scottish Commissioners to the King, Oct. 22, *Clar. St. P.* ii. 380; Grignon to Brienne, Nov. 11, *R.O. Transcripts*.

² *Burnet*, v. 123.

would be workings to get 'the King 'away.' Though the words implied that it was merely Ashburnham's parole which was withdrawn, Charles was capable of so interpreting them as to claim that he had recovered his own freedom of action as well.¹

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Though Whalley does not appear to have suspected Charles's intention, Ashburnham's words had been enough to render him suspicious, and he now posted his guards within the palace itself, a precaution which he had not hitherto taken. A few days later Charles complained that the sleep of the Princess Elizabeth, then on a visit to him, was disturbed by the soldiers, and asked that the guard might be removed. Whalley replied by asking him to renew his parole. On his refusal to do so, Whalley communicated the fact to Fairfax. The news was the more startling, as the story of the Scottish offer to assist the King to escape had leaked out, and was being repeated in a most exaggerated form. Charles, it was said, had actually fled with a thousand horse provided for him by the Scots.² Accordingly, on the 31st the guards at Hampton Court were strongly reinforced. Amongst the military Levellers exasperation grew to the highest pitch. Some talked of carrying the King to Ely, where the Scots would be unable to reach him.³ On the same day, a Sunday,

Whalley
grows
suspicious.

Charles
declines to
renew his
parole.

Oct. 31.
The
guards
reinforced.

Exaspera-
tion of the
Levellers.

¹ Ashburnham indeed declared afterwards (Ashburnham to Lenthall, Nov. 26, E. 418, 4) that he told Whalley that he withdrew his parole on the King's behalf. This, however, was by anticipation denied by Whalley (*Message by Col. Whalley*, E. 419, 14). Whalley told the House of Commons, on Nov. 23, that his conversation with Ashburnham took place 'about three weeks ago,' *i.e.* about Oct. 23. If Whalley had really understood that the King's parole was withdrawn, the more vigorous measures which were taken some days later would surely have been taken then.

² Newsletter, Nov. 1st, *Roman Transcripts*, R.O.

³ Letter of Intelligence, Nov. 4, *Clarendon MSS.* 2,640.

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Nov. 1.
Charles's
attendants
removed.

Another
meeting
of the
Army
Council.

Answers to
prayer.

Cromwell
intervenes.

Faults on
both sides.

the prayers of the congregation were asked in several of the London churches 'for the good success of the great design.' On November 1 most of the King's attendants, Berkeley and Ashburnham among the number, were ordered to leave Hampton Court.¹

When the Army Council met again on November 1,² the effect of Charles's refusal to renew his parole became at once manifest. Cromwell opened the discussion by a motion 'that every one might speak their experiences as the issue of what God had given in answer to their prayers,' that is to say, to the prayers for unity in the meeting of October 29. The answers were given glibly enough. Captain Allen³ said that his experience, and that of 'divers other Godly people,' was 'that the work that was before them was to take away the negative voice of the King and Lords.' Captain Carter's experience was 'that he found not any indication in his heart as formerly to pray for the King that God would make him yet a blessing to the kingdom.' Commissary Cowling held that their liberties could only be recovered by the sword, as their ancestors had recovered theirs from the Danes and Normans, 'when they were under such slavery that an Englishman was as hateful as an Irishman is now.'

Before long Cromwell thought it time to intervene. The King, he said, was King by contract. Let him that was without sin amongst them cast the first stone at him. If they and the Parliament had been free from transgression towards the King, they might justly require that he should be cut off as a transgressor, 'but, considering that we are in our own

¹ *Clar. St. P.* ii. App. xli.

² *Clarke Papers*, i. 367-406.

³ Francis Allen, not William Allen, the Agitator, who, as Mr. Firth has shown, was probably identical with Ludlow's Adjutant-General Allen. *Clarke Papers*, i. 432.

actions failing in many particulars, I think there is much necessity of pardoning of transgressors.' Cromwell then proceeded to ask how discipline was to be maintained if the army was to throw off the authority of the Parliament to which it owed its existence. "Either," he said, "they are a Parliament or no Parliament. If they be no Parliament, they are nothing, and we are nothing likewise." If they were a Parliament, it was the duty of the army to make its proposals to them. Before he could be of another opinion, he must see 'a visible presence of the people, either by subscriptions or numbers . . . for in the government of nations that which is to be looked after is the affections of the people.' Forms of government were of little account. The people of Israel had been happy under many different governments. If they were going to put to hazard their lives and fortune to obtain what they called freedom, they would bring the State to desolation. It was for Parliament to settle what the government was to be, though they might provide that Parliament should be fairly representative, and should not perpetuate itself.

The army, it seems, according to Cromwell, might secure the existence of a Parliament which could really speak in the name of the nation; it must not dictate to Parliament a system which only approved itself to a few enthusiasts, who imagined that their opinions were the opinions of the nation. As to Rainsborough's proposal to call the army to a rendezvous¹ that it might be asked to support the *Agreement of the People*, it was enough that Fairfax had given no orders to that effect. "I must confess," said Cromwell, "that I have a commission from the General, and I understand that I am to do by it. I shall conform to

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Parliamentary
authority
to be maintained.The
affections
of the
people indispensable.Forms of
government of
little
account.Cromwell's
view of the
functions
of the
army.The
authority
of the
General
to be
respected,¹ See p. 227.

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and
authority,
even the
most
doubtful.

him according to the rules and discipline of war . . . and therefore I conceive it is not in the power of any particular men, or any particular man in the army, to call a rendezvous of a troop, or regiment, or [in the] least to disoblige the army from the commands of the General." Throwing off authority would be their destruction. It was said amongst the Royalists that if rope enough were given to the soldiers they would hang themselves. "Therefore," concluded Cromwell, "I shall move what we shall centre upon. If it have but the face of authority, if it be but a hare swimming over the Thames, I¹ will take hold of it rather than let it go."

Jubbes
asks that
the House
may be
purged;

and a
declaration
of the
King's
guilt
obtained
from it.

In his strong sense of the danger of anarchy, Cromwell had passed lightly over the immediate difficulty, the abhorrence with which the King regarded any terms likely to be proposed to him. Cromwell, in short, was large-minded rather than constructive, and he was forced to listen to language which he deprecated from men who fixed their eyes more intently than he did upon one particular aspect of the problem. Lieutenant-Colonel Jubbes put the searching question, whether it would not be necessary to purge Parliament of its peccant members; a purged Parliament being far more likely than the present one to satisfy the just desires of the army, and to 'declare the King guilty of all the bloodshed, vast expense of treasure, and ruin that hath been occasioned by all the wars both of England and Ireland.' Jubbes inconsequently added that when the King had thus been declared guilty, they might 'receive him as King again for avoiding of further wars.' Others were present who were likely to push his reasoning to a more logical conclusion.

¹ 'He' in text.

The fanatical element was never absent from the Army Council, and this time it was represented by Goffe. Their duty, he said, was to listen to the voice of God to whomsoever revealed, and it was clear to him 'that this hath been a voice from heaven to us, that we have sinned against the Lord in tampering with his enemies.' To this Cromwell at once replied that, though it was their duty to give ear to all that was revealed to any one, they must not forget the Scriptural injunction, "Let the rest judge!"¹ As for himself, he would never abandon the right of judging whatever was submitted to him as a divine revelation. If mistakes of fact or argument were made, he held himself at liberty to show that they were mistakes, 'for no man receives anything in the name of the Lord further than the light of his conscience appears.' He had heard, he said later in the debate, 'many contradictions, but certainly God is not the author of contradictions.'

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Goffe declares that heaven is against Charles.

Cromwell's reply.

He does not follow revelations,

He himself, too, Cromwell declared, was 'one of those whose heart God hath drawn out to wait for some extraordinary dispensations, according to those promises that He hath held forth of things to be accomplished in the latter time.' Here lies the key to the secret of Cromwell's superiority over men like Goffe. He sought wisdom not in personal impressions, but in the totality of events. He believed, as he would himself have said, more in dispensations than in revelations.²

but dispensations.

Dispensations had in truth carried Cromwell much farther from the King than he was when he made his great speech in the House of Commons on October 20.³

Cromwell no longer hopes much from the King.

¹ "Let the other judge," 1 Cor. xiv. 29.

² "I pray he," *i.e.* Vane, "make not too little, nor I too much, of outward dispensations." Cromwell to St. John, Sept. 1, 1648, *Carlyle*, Letter lxvii.

³ See p. 217.

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His
attitude
towards
the King
and the
Lords.

Charles's communications with the Scots and the withdrawal of his parole had left little room for hope. They were all agreed, he now said, that their aim was 'to deliver this nation from oppression and slavery.' "I think," he added, "we may go thus far farther, that we all apprehend danger from the King and from the Lords." Sexby indeed had said that an attempt was being made to 'set up' the King and the House of Lords. Against this description of the opinions of himself and his supporters, Cromwell warmly protested. "If it were free before us," he said, "whether we should set up one or other, I do, to my best observation, find a unanimity amongst us all that we would set up neither." "I must," he added, "further tell you, that as we do not make it our business or intention to set up the one or the other, neither is it our intention to preserve the one or the other with a visible danger and destruction to the people and the public interest." What he objected to was to have them lay it down as an ascertained truth that there could be no safety if the King and the Lords retained any interest in public affairs, on the ground that God would 'destroy these persons and their power, for that they may mistake in.' This he said, though he himself concurred with them in thinking it probable that God intended to destroy them.

Cromwell
hesitating.

Fiery talk.

A disinterested bystander might safely have calculated that Cromwell's hesitating attitude would before long pass into active hostility. At the time it was wanting in that definite conviction which alone impresses a doubting audience. Captain Bishop said that he found 'after many inquiries in' his 'spirit' that the root of their sufferings was 'a compliance to preserve that man of blood, and those principles of

tyranny which God from heaven, by His many successes, hath manifestly declared against.' Cromwell, however, had his way so far, that the discussion passed from the question of preserving the King's person to preserving to him, and the House of Lords, the negative voice on the determinations of the House of Commons. Ultimately, the whole of the constitutional arrangements were referred to the committee.

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Question
of the
negative
voice.

On the following day, November 2, the committee adopted a lumbering device, which apparently reflected the passing mood of Cromwell and Ireton. Every Commoner was to be subject to the House of Commons alone, as well as every officer of justice or minister of State, whether he was a Commoner or a Peer, implying that neither the King nor any Peer was to be bound by a vote of the Commons, so far as his personal interests was concerned. Before the sitting was ended, the committee adopted the greater part of the reserves proposed in the *Agreement of the People*.¹ It further resolved that Fairfax should be invited to request Parliament not to present its own Propositions to the King, before the recommendations of the army had been laid before it.

Nov. 2.
The
committee
at work.

Parliament
to be asked
to postpone
its Propositions.

November 3 was taken up with discussions in committee on the militia and on delinquents, the recommendations of the committee being adopted by the Army Council on the 4th.² On the 4th, too, the committee came to a decision on the thorny question of the suffrage. All who were not servants or beggars were to be allowed a vote.³

Nov. 3, 4.
Militia
and de-
linquents.

At the council which met on the 5th, Fairfax was present, being sufficiently recovered to attend

¹ *Clarke Papers*, i. 407-409. Compare pp. 394, 395.

² They are given in *A Perfect Diurnal*, E. 520, 3.

³ *A Copy of a Letter*, E. 413, 18; *Perfect Occurrences*, E. 520, 2.

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Nov. 5.
A strange
letter.Ireton is
offended,Nov. 6.
and leaves
the council.The
scheme
of the
committee
finished.Nov. 5.
A vote
of no
addresses
proposed.

to his military duties. How strongly the tide was running against Cromwell and Ireton is shown by the contents of a letter which was despatched from the council to the House of Commons. In this letter the Council disclaimed on behalf of the army a statement alleged to have been made in the House of Commons, to the effect that the army was favourable to the Propositions on which it was now engaged. Ireton, from whom the statement had either proceeded or was believed to have proceeded, naturally took offence, and when the council, at its next meeting, on the 6th, refused to withdraw the letter, he walked out of the church, declaring that he would never attend another meeting.¹ Indirectly the letter now sent revoked the order formerly given by the council for a message to ask Parliament to keep back the Propositions,² as it referred to the 'tenderness' with which the army regarded 'the privileges of Parliamentary actings' as a bar to any interference with the proceedings of the Houses.

The fact was that the Levellers objected to the scheme of the committee, not merely because it did not altogether accord with their ideas, but also because, under the influence of Cromwell and Ireton, it had taken the form of an application to Parliament instead of a constitution emanating directly from the people.

Already on the 5th the predominance of the Levellers in the Council of the Army had been shown in other ways than in the adoption of the letter which had given offence to Ireton. Rainsborough declared it to be the sense of the army that no

¹ The Council to the Speaker, Nov. 5; *A Message to Both Houses*, E. 413, 3; *A Copy of a Letter*, E. 413, 18. Compare *Clarke Papers*, i. 440.

² See p. 237.

further addresses should be made to the King,¹ and either he or some other of the Levelling party carried a vote that a general rendezvous should be held; doubtless with the object of eliciting the opinion of the soldiers in favour of the *Agreement of the People*, and against the proposals of the committee. On the 6th Cromwell consented to allow a discussion on the question 'whether it were safe either for the army or the people to suffer any power to be given to the King.'²

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A rendezvous to be held.

Nov. 6.
The King's power to be discussed.

The growth of the feeling against the King in the army was paralleled with the growth of a similar feeling in the House of Commons. On the 6th, having completed its Propositions, the House voted 'that the King of England for the time being is bound in justice, and by the duty of his office, to give his assent to all such laws as by the Lords and Commons, assembled in Parliament, shall be adjudged to be for the good of the kingdom, and by them tendered to him for his assent.' In virtue of this declaration they would now, if the assent of the Lords were obtained, present to Charles their Propositions, not for discussion but for acceptance.³

Vote of the Commons on the King's obligation to assent to laws.

It is not improbable that both Parliament and army hardened their hearts against Charles in consequence of a growing suspicion that a crisis of one kind or another was impending. On or about November 3⁴ Charles communicated with Ashburnham through Legge, the former governor of Oxford, who had been allowed to remain at Hampton Court

Nov. 3.
Charles forms plans for escaping ;

¹ Newsletter, Nov. 8, *Clar. St. P.* ii. App. xli.

² *A Copy of a Letter*, E. 413, 18.

³ *C.J.* v. 352.

⁴ The date is arrived at by arranging the days given in Ashburnham's narrative, taking for a fixed point Nov. 5, the day on which the letter of the Scottish commissioners was written.

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thinks of
going to
Jersey.Ashburn-
ham re-
commends
him to go
to London.Nov. 5.
Assurances
of the
Scots.Their
letter to
the House
of Lords.Nov. 6.
Effect of
the letter.Nov. 7.
Excite-
ment at
Putney.

when Ashburnham and Berkeley were expelled. On this occasion Legge informed Ashburnham that the King meant to make his escape and thought of Jersey as his place of refuge. Ashburnham urged the adoption of a bolder course. Why should not Charles, having secured the support of the Scottish commissioners, make his way to London and rally the City to his cause? The Scottish commissioners were willing to do their best for the King, and on the 5th they appeared at Hampton Court, with the strongest assurances that nothing should be wanting on their part to smooth his way.¹ It would seem that Charles deprecated violence, and still hoped to gain his ends by diplomacy, as on their return from Hampton Court the commissioners wrote a letter to the Speaker of the House of Lords, asking that the King might be removed to London with a view to the opening of a personal negotiation between himself and the Houses.

The reading of this letter in the House of Lords on the 6th roused the greatest indignation. The very apprentices, said one of the Peers, could not have done worse.² It may fairly be assumed that the demand which the Commons on that day addressed to the King took its colour from the feeling roused by the same letter. No one doubted that the entrance of Charles into London would be the prelude to a reaction, which would culminate in an unconditional restoration.

On the 7th, which happened to be a Sunday, the excitement at Putney was even greater than at Westminster. The army indeed was not wholly of one mind. "Let my colonel be for the devil an he

¹ Ashburnham's *Narrative*, i. 101-106.

² The Scots Commissioners to the Speaker of the House of Lords, Nov. 5, *L.J.* ix. 512; Grignon to Brienne, Nov. 8, *R.O. Transcripts*.

will," said one of the soldiers, "and I will be for the King.¹ The speaker was by no means solitary in his opinion; whilst, on the other hand, there were not a few who had for some days been crying out for 'an immediate and exemplary justice on the chief delinquent.'²

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It needed but this to rouse Cromwell to action. As in May he had clung to the principle of subordinating his own wishes to the authority of Parliament long after he had become conscious that Parliament was leading the country to destruction, so in October he had clung to the authority of the King long after he had known that no tolerable settlement was to be obtained from Charles. When November came, he turned wistfully from Charles to Parliament, and again from Parliament to Charles. In despair of either, he listened not very hopefully to the scheme of the Levellers, and did his best to fit it in with some shadow of constitutional authority to which he could cling, though, to use his own words, it were but as a hare swimming over the Thames. On one point, however, he was quite clear. The discipline of the army must be maintained. On Saturday, with the knowledge that there was to be a general rendezvous, he had agreed that there should be a discussion in the Army Council on the King's authority. If it be supposed that in the course of Sunday he came to the conclusion that the Levellers intended to appeal from the Army Council to the whole body of the soldiery, there would be no need to seek further for explanation of the course which he took on Monday.³

Cromwell
roused.

However this may have been, when the Army

¹ *Clarke Papers*, i. 410.

² News from London, Nov. 4, *Clarendon MSS.* 2,645.

³ The following statement about the intentions of the Levellers is

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Nov. 8.
Cromwell
declares
against the
Levellers.

Council met on Monday, the 8th, Cromwell had made up his mind that the time for hesitation was at an end. Singling out the proposal of the Levellers to adopt manhood suffrage, he declared that it 'did tend very much to anarchy,' and put it to the vote whether both officers and Agitators should be sent to their respective regiments, in order that they might compose the minds of the soldiers before the day appointed for the rendezvous. An affirmative vote prevented for the present the revival of that discussion of the very foundations of the constitution which threatened to rend the army in twain.¹

Letter
from
Fairfax.

No one knew better than Cromwell that military discipline could only be maintained if the soldiers were contented, and on November 9, doubtless with the full consent of the Lieutenant-General, Fairfax wrote to the Speaker requesting that the lands of the Deans and Chapters might be sold, in order to provide for the soldiers' pay,² a request which shows that even Fairfax at this time despaired of coming to terms with Charles. On the 9th, at another meeting of the Army Council—from which the more aggressive members were now absent—it was resolved that a fresh committee, consisting of officers alone, should be appointed to examine how far the acceptance of

Nov. 9.
The Army
Council
appoints a
fresh Com-
mittee.

probably not far from the truth:—"The design was to have nulled the House of Lords, and made them no House of Parliament; no competent judges of that great judicature; to purge the House of Commons of all that sat in the Speaker's absence, and bring in new members in their room, such as should comply with their designs, and then draw up an impeachment against the King's Majesty to take away his life for causing the late wars and bloodshed, and in the meantime to have his Majesty kept at Warwick Castle or some other prison where they might guard his person."—*His Majesty's Declaration*, E. 420, 5.

¹ *Clarke Papers*, i. 411, 412; *The Copy of a Letter*, E. 513, 18.

² Fairfax to Lenthall, Nov. 9, *Rushw.* vii. 687.

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Nov. 7.
A confer-
ence at
Thames
Ditton.

the *Agreement of the People* was consistent with former engagements of the army.¹

If Parliament and army were provoked by Charles's manifest intention to reject any terms which they were likely to offer, Charles was no less provoked by the no less manifest intention of Parliament and army to offer him no terms which he was likely to accept. On the 7th, a conference was held at Thames Ditton between Berkeley, Ashburnham, and Legge. All three were ready to aid in the King's escape, but a difference of opinion arose between Berkeley and Ashburnham as to the course to be taken by Charles after he had freed himself from restraint. Berkeley, with his usual common sense, wished Charles to make his way to the Continent, whilst Ashburnham, either from an unfounded confidence in his own diplomatic skill, or because he expressed his master's views rather than his own, wished the King to secure himself in some place in England, and to make one more attempt to recover his throne. Berkeley persisted in his own opinion, and asked Ashburnham to make a bargain with the owners of two or three vessels which were to be stationed in various ports, so that whatever direction Charles might take after leaving Hampton Court, he might be able to effect his escape to the Continent. Ashburnham did not indeed return a direct refusal, but he took no steps to carry out a plan which differed from his own.²

On the 8th, the Sunday on which Cromwell was

¹ Resolution of the Army Council, *Clarke Papers*, i. 415.

² Berkeley's *Memoirs*, 46; Ashburnham's *Narrative*, ii. 106. Ashburnham is looser about details than Berkeley, and I have therefore given the preference to Berkeley where the two authorities differ. Fortunately the points of difference are of no great historical importance.

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Nov. 8.
Conversa-
tion be-
tween
Berkeley
and Ash-
burnham.
Ashburn-
ham
suggests
the Isle of
Wight as
a refuge for
the King.
Robert
Hammond.

brooding over the signs of mutiny in the army, Berkeley and Ashburnham rode to Putney to procure passes to enable them to cross the sea. On their return, Ashburnham suddenly informed his companion of the plan for removing the King to London, which had recently been discussed with the Scottish commissioners. Finding Berkeley's objections insuperable, he proposed that Charles should take refuge in the Isle of Wight. A new governor, Robert Hammond, had recently been appointed, who was a nephew of Henry Hammond, the well-known Royalist divine. It was true that by his marriage with Hampden's daughter he was also connected with Cromwell, and that he had been personally attached to Cromwell himself, especially at the time when the Lieutenant-General had been striving to conciliate the King. Recently, however, Hammond had stood aloof from Cromwell in proportion as Cromwell had drawn away from the King. Hammond was, in fact, a sensitive and conscientious man, unhappy at having to choose between conflicting duties, and when Fairfax offered him the Governorship of the Isle of Wight he went off to his new post with a feeling of relief, as if he had at last found a quiet nook in which the waves of controversy would trouble him no more. Meeting Ashburnham, as he was on the way to his new post, he told him that 'he was going down to his government, because he found the army was resolved to break all promises with the King; and that he would have nothing to do with such perfidious actions.'¹

Charles's
double
project.

To Ashburnham, or rather to Charles, whose mouthpiece he was, Hammond's impulsive utterance appeared to be a rock on which to build. As usual,

¹ Ashburnham's *Narrative*, ii. 108. Compare Cromwell's Letter to Hammond, Nov. 28, 1648, *Carlyle*, Letter lxxxv.

Charles had two alternative plans. On the one hand the rendezvous of the army might result in a declaration by the officers in his favour. On the other hand the Scots might make him more explicit promises than they had as yet given. If Hammond would secure him in the Isle of Wight from immediate danger, he might put himself up to auction to the Scots and to the officers at the same time, whilst if neither could bid high enough, he would have the sea close at hand, and the way of escape to France would lie open before him.¹

On the evening of the 9th, Charles gave orders to make actual preparations for his flight, though even then Berkeley was unable to draw from him any information about his intended place of retreat.² It is true that in the morning he had held a long conversation with the Scottish commissioners, and had, with their warm approval, declared himself ready to betake himself to Berwick, where, though still in England, he would have a Scottish army in his immediate neighbourhood. As, however, Lauderdale had warned him that, without full concessions in the matter of religion, the Church-party in Scotland would do nothing for him,³ it is no wonder that he came to the conclusion that it would be better to be in a place from which he could watch events than

Nov. 9.
Charles
prepares
for flight.

Proposes
to go to
Berwick.

¹ Berkeley's *Memoirs*, 49. The question of escaping to France is not mentioned by Berkeley, but subsequent events show that it was entertained, and indeed it could hardly be otherwise.

² *Ib.* 48; Ashburnham's *Narrative*, ii. 112. Berkeley asserts and Ashburnham denies that Charles named the Isle of Wight. I fancy he did so, but in private conversation with Ashburnham alone. Charles distrusted Berkeley and gave his confidence to the more supple courtier.

³ *Burnet*, v. 123. The date of the interview is given in a Letter from London, Nov. 11, *Clarendon MSS.* 2,650; *His Majesty's Declaration*, E. 420, 5.

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Nov. 9.
Charles is
told that
his life is
in danger.

in one in which he was exposed to be mastered by them.

Charles, indeed, had come to believe that he could no longer remain at Hampton Court with safety to himself. The cry of the Levellers for his blood had of late been waxing louder, and whilst he was pondering the words of the Scottish commissioners he received a letter informing him that eight or nine of the Agitators had, on the evening before, decided on putting him to death.¹ It is not unlikely that the writer was Henry Lilburne, who was lieutenant-colonel in his brother Robert's regiment. Whether the tale was true or false, it was too consonant with information which had reached Charles from other sources to be received with hesitation.

Nov. 10.
Horses
sent on.The day of
escape
fixed.

On Wednesday, November 10, a relay of horses was sent on to Bishop's Sutton, Thursday, the 11th, being fixed for the actual escape, as the King was in the habit of passing some hours in his bedchamber on Thursday evenings in writing letters for the foreign post. A considerable time would therefore elapse before his absence from the public apartments would be noticed.²

Cromwell, too, was growing anxious. The designs of the Levellers were no secret to him, and, on the morning of the 11th, at a meeting of the recently appointed committee of officers,³ Harrison, uncontrol-

¹ The letter is signed E. R., but this may be merely to conceal the writer's name (*L.J.* ix. 520). It gives the information as being derived from the writer's brother. *The People's Prerogative*, p. 52, E. 427, 4. On November 28 nine Agitators petitioned Fairfax to do them justice against Henry Lilburne's calumnies in this matter. *Clarke MSS.* In the second part of *England's New Chains Discovered*, p. 6 (E. 548, 16), Henry Lilburne is charged with accusing his brother John. Possibly John told Henry some story, which shocked him, about talk of bringing the King to trial, which Henry treated as equivalent to a design to murder him.

² Berkeley's *Memoirs*, 50; Whalley's *More Full Relation*, E. 416, 23.

³ See p. 242.

lable fanatic as he was, burst out into a cry that the King was a man of blood, and declared that 'they were now to prosecute him.' Cromwell replied by putting cases in which blood-shedding was not to be the subject of judicial inquiry, citing the example of David, who left the murderer of Abner unpunished, lest he should 'hazard the spilling of more blood, in regard the sons of Zeruiah were too hard for him.'¹

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Nov. II.
Harrison
calls for
the prose-
cution of
the King.

Cromwell had no mind that Charles should fall into the hands of the Levellers. "Dear cousin Whalley," he wrote to his kinsman at Hampton Court, "there are rumours abroad of some intended attempt on his Majesty's person; therefore, I pray, have a care of your guard; for if such a thing should be done, it would be accounted a most horrid act."² Whalley showed the letter to Charles, assuring him that as long as he was in command there would be no danger. Either in his letter to Whalley or in one specially directed to the King, Cromwell referred to the intention of the Levellers to place the King under a new guard of their own choosing.³

A warning
to Whalley.

Intentions
of the
Levellers.

¹ *Clarke Papers*, i. 417.

² Cromwell to Whalley, *Carlyle*, Letter L. The letter is undated, but Whalley said that he received it on the 11th, and it was probably, therefore, written on the morning of that day, perhaps after Harrison's outburst.

³ Berkeley (*Memoirs*, 54) says that when he was sent to Hammond in the Isle of Wight he carried from Charles copies of two letters, 'one from Cromwell, the other without a name.' "Cromwell's and the other letter contained great apprehension and fears of the ill intentions of the Levelling party in the army and city against his Majesty; and that from Cromwell added that, in prosecution thereof a new guard was the next day to be put upon his Majesty of that party." Nothing of this kind appears in Cromwell's letter to Whalley as it is printed, but as only a fragment was published, the words may very well have been in the part which has not reached us. Unless Cromwell intended merely to frighten the King he must certainly have added some assurance of his ability to cope with the danger. The Royalists at least believed the danger to be a real one. One of them, writing on the 11th, expresses a belief that Rainsborough and Pride will be employed

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1647
Escape of
the King.

Charles had no need of such information to drive him to a step which he had already decided on taking. In the evening of the 11th he stepped from his bed-

to guard the King, and Major Huntington dismissed. "The doubling of guards," he writes, "troubles me not, but the employing of such devils doth." He writes again on the 15th as follows:—"Upon Friday last," *i.e.* the 12th, "the King was certainly designed to be murdered, but God . . . prevented those hellish intentions by his Majesty's escape." It was high time, he adds, for the King to secure his person 'against which certainly the Agitators had very bloody designs.' Letters of Intelligence, Nov. 11, 15, *Clarendon MSS.* 2,650, 2,651.

It has often been asked whether the King's flight was not designed by Cromwell. The form which this took in the lines of Andrew Marvell, when he says of Cromwell that

"Twining subtle fears with hope,
He wove a net of such a scope
That Charles himself might chase
To Carisbrooke's narrow case,
That thence the royal actor borne
The tragic scaffold might adorn!"

is too absurd to need refutation, especially now that the *Clarke Papers* are before us. A more tenable hypothesis is that Cromwell, having learnt the designs of the Levellers, frightened Charles away in order to save his life. The main support of this view is that Charles fled to the Isle of Wight, of which Cromwell's cousin Hammond was governor. We are, however, in a position to know, what contemporaries did not know, that the idea of going to the Isle of Wight arose in the counsels of Charles and Ashburnham, and commended itself to them on the ground that Hammond might be relied on because he was at that time hostile to Cromwell. Another difficulty in the way of accepting this theory is that Cromwell could not be certain that Charles would really go to the Isle of Wight. What if he took shipping at some seaport and made for France? In France, no doubt, he could do little harm; but if he made his way from France to Scotland—and from the late intercourse between him and the Scots commissioners it was likely enough that he would do so—the danger to Cromwell and his party would be enormous. It is unlikely that Cromwell was otherwise than confident of his own power to cope with the Levellers. If he did want to frighten the King without assuring him on this point, his object was probably to induce him to reconsider the overtures of the army which he had recently rejected. It may be added that Charles informed Whalley that his flight was not caused by Cromwell's letter. "I assure you," he wrote, "that it was not the letter you showed me to-day that made me take this resolution, nor any advertisement of that kind." The King to Whalley Nov. 11, *L.J.* ix. 520.

chamber before the guards were set for the night, and rode off, attended by Berkeley, Ashburnham, and Legge. The King and his companions missed their way in the dark, and did not reach Sutton till after daybreak. There they found the inn occupied by the Hampshire County Committee, and were consequently obliged to push on without taking rest. Eventually they reached Lord Southampton's house at Titchfield, whence Charles, keeping Legge with him, despatched Berkeley and Ashburnham across the Solent to sound Hammond, telling them that, if they did not return on the following day, he would himself take shipping for the Continent.

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Nov. 12.
He reaches
Titchfield.

On the morning of the 13th Berkeley and Ashburnham came up with Hammond on the road between Carisbrooke and Newport, and, telling him that the King had left Hampton Court to escape assassination, asked him to give his word to protect the Royal fugitive, or, if this proved impossible, to allow him to quit the island in safety. To Hammond the unexpected communication came as a terrible shock. "O gentlemen!" he cried, "you have undone me by bringing the King into the island; if at least you have brought him; and, if you have not, pray let him not come; for what between my duty to his Majesty, and my gratitude for this fresh obligation of confidence, and my observing my trust to the army, I shall be confounded." At last a promise was dragged from Hammond, in a form so vague as to bind him to nothing. If the King, he said, 'pleased to put himself into his hands, whatever he could expect from a person of honour or honesty, his Majesty should have it be made good to him.' If ever there was an answer which should have inspired caution it was this. Yet, at Ashburn-

Nov. 13.
Berkeley
and Ash-
burnham
in the Isle
of Wight.

Ham-
mond's
vague en-
gagement.

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Hammond
at Titch-
field.

ham's instance, Hammond was invited to accompany the messengers to the presence of the King.

When in the course of the day the three arrived at Titchfield, Charles was naturally displeased at the disclosure to Hammond of his place of retreat, especially as he had ordered a vessel from Southampton to carry him to France in case of his failing to obtain satisfactory assurances from the governor of the Isle of Wight. Ashburnham, with a light heart, offered to murder Hammond, but Charles declined to be served in such a fashion, and contented himself with making excuses for lingering at Titchfield, whilst he watched for the appearance of the expected vessel on the not-far-distant shore of Southampton Water. An embargo had, however, been placed on all shipping in the southern ports as soon as the King's escape was known at Westminster, and the expected vessel never arrived. In the evening Charles, having now no other course open to him, crossed the Solent in the company of Hammond and his own three attendants.

Charles
looks in
vain for a
vessel to
take him
to France.He goes to
the Isle of
Wight,Nov. 14,
and is
lodged in
Caris-
brooke
Castle.

On the following morning Hammond conducted the King to Carisbrooke Castle. Though the accommodation was rough, Charles felt himself more at home than in Hampton Court. The islanders were well disposed toward him, and were prepared to secure him against any attempt of the Levellers to murder him. Moreover, as the garrison of the castle consisted of no more than a dozen old soldiers, he imagined that it would be easy for him to leave the island at any time, even if Hammond attempted to throw obstacles in his way.¹

Nov. 12.
Rumours
in London.

When the news of Charles's flight reached London the wildest rumours spread from mouth to mouth.

¹ Berkeley's *Memoirs*, 55; Ashburnham's *Narrative*, ii. 113. There is plenty of discrepancy between the two authorities, but not on essential points. See also Hammond's letter to Manchester, Nov. 13, *L.J.* ix. 325; and *The Oglander Memoirs*, 64-69.

The King, said some, was gone to Scotland, to Ireland, or to France. Others said that he had been carried off by the Agitators and shut up in a fortress; others again that he had been concealed by Fairfax and Cromwell to save him from the Agitators.¹ The first real intelligence was derived from a letter directed to the Houses, which Charles had left behind him at Hampton Court. In this he declared that Presbyterians, Independents, Royalists, Scots and soldiers, should all receive equal justice at his hands. Though fear for his personal safety had driven him into seclusion, he had never lost sight of the necessity of securing peace, and with this in view he added a special recommendation of the interests of the army. "To conclude," he ended by saying, "let me be heard with freedom, honour, and safety; and I shall instantly break through this cloud of retirement, and show myself really to be *Pater Patriæ*."²

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Charles's
letter
to the
Houses.

Though Charles no longer looked with hope to Cromwell or Ireton, it is evident, from the tone of this letter, that he still expected support from the rank and file, and he was certainly not wrong in believing that there were large numbers in the army to whom a victory of the Levellers would be as unwelcome as to Cromwell himself. On the very day on which Charles left Hampton Court, Major White invited Fairfax's regiment to join the Levellers. The men at once replied with hearty shouts of "A King! A King!" which speedily passed into "This King! This King!" In Parliament the prevailing uncertainty strengthened what Royalist sentiment existed. "Mr. Speaker," asked a member, "are you neither contented with nor without a King?"³

He looks
to the
army for
support.

Feeling
in the
army,

and in
Parlia-
ment.

¹ Newsletter, Nov. $\frac{12}{22}$, $\frac{19}{28}$. *Roman Transcripts*, R.O.

² The King to the Houses, Nov. 11, *L.J.* ix. 519.

³ Letter of Intelligence, Nov. 15, *Clarendon MSS.* 2,651.

CHAPTER LVII.

THE FOUR BILLS.

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1647

Attacks on
Cromwell.Talk of
impeach-
ing him.Reported
proposal to
murder
him,and to
prosecute
the King.

CROMWELL was now an object of suspicion with both the extreme parties. The Royalists counted him as a hypocritical dissembler because, after long negotiation with Charles, he had not restored him to the throne. The Levellers formed the same opinion of him because he had carried on that negotiation long after its deceptive character had been revealed. Rainsborough and Marten even talked of impeaching him, and Rainsborough, after expressing himself confidently of his ability to carry the army with him, added that he would have the support of 20,000 citizens as well. It was a matter of speculation at Westminster whether Cromwell would overcome his foes 'or follow his predecessor Hotham.'¹

According to one story, the truth of which it is impossible to test, still darker proposals were entertained by the wilder Levellers. Fairfax was to be secured by the soldiers when they arrived at the place of rendezvous on the evening before the appointed review was held, whilst Cromwell was to be shot in his bed at midnight. When the regiments were drawn up in the morning, the conspirators were to produce a charge against the King 'which they would effectually prosecute, and require the Parliament to join

¹ Grignon to Brienne, Nov. $\frac{15}{25}$, *R.O. Transcripts*.

with them, resolving to cut the throats of those that should refuse the same.' ¹

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It was indeed a time for prompt action. A third part of the army was to rendezvous on the 15th on Corkbush Field, near Ware. On the 14th, with the intention of satisfying all reasonable aspirations of the soldiers, a manifesto was drawn up, to be issued on the following day in the name of Fairfax and the Army Council. In this manifesto Fairfax declared that, unless discipline were restored, he would lay down his command. On the other hand, if he remained at his post, he would advocate the fixing of a date for the speedy dissolution of Parliament, and the adoption of provisions which would make the future House of Commons 'as near as may be, an equal representative of the people that are to elect.' To this was added a form of adhesion to Fairfax and the Army Council which every soldier was to be asked to sign. The ideas contained in the manifesto accord so thoroughly with those expressed by Cromwell in the Army Council on November 1 ² that he may be safely credited with its inspiration. Parliament was not to be pressed by the army to make such and such alterations of the law, but it might be pressed to bring itself into closer constitutional relations with the people. ³

Nov. 14.
A mani-
festo pre-
pared.

The
adhesion
of the
army to
be asked.

When, on the morning of the 15th, Fairfax appeared on Corkbush Field he found little difficulty in maintaining his authority over the four regiments of horse and three of foot who had been ordered to await him there. Rainsborough, who stepped forward to present to him a copy of the *Agreement of the People*, was easily waved aside whilst Colonel Eyre, ⁴

The ren-
dezvous on
Corkbush
Field.

¹ Walwyn's *Wiles*, pp. 18, 1104, ch. 12.

² See pp. 232, 233.

³ *L.J.* ix. 529.

⁴ William Eyre, to be distinguished from the Thomas Eyre who was governor of Hurst Castle.

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Major Foot, and a few other dissatisfied officers, called in vain on the soldiers to stand by the Agreement. The men, shutting their ears to them, readily signed the engagement circulated in the ranks, and the insubordinate officers were placed under arrest, with the exception of Major Scott,¹ who, being a member of Parliament, was sent up to Westminster to be judged by the House of Commons.

Mutiny in
the regi-
ments of
Harrison
and Lil-
burne.

Very different was the behaviour of two other regiments—those of Robert Lilburne and Harrison—whose very presence on the field was an act of mutiny; that of Lilburne having been ordered to the North to take part in watching the movements of the Scots, whilst that of Harrison had been directed to appear at one of the other places of rendezvous. Of the two, Lilburne's, which had driven away most of its officers whilst still on the march, was the most mutinous, but the soldiers of both regiments appeared on the field with copies of the *Agreement of the People* stuck in their hats, with the addition of the motto, "England's freedom! Soldiers' rights." Harrison's regiment was soon brought to submission by a few words of reproof from Fairfax, but Lilburne's was not in so compliant a mood. Cromwell, seeing that persuasion alone would not avail him here, rode along the ranks, sharply ordering the men to tear the papers from their hats, and on finding no signs of obedience, dashed amongst the mutineers with his sword drawn. There was something in his stern-set face and resolute action which compelled obedience. The instincts of military discipline revived, and the soldiers, a moment before so defiant, tore the papers from their hats and craved for mercy. The ringleaders were arrested,

Cromwell
compels
obedience.

¹ To be distinguished from Scott the Regicide. Thomas was the Christian name of both.

and three of them condemned to death by an improvised court-martial. The three were, however, allowed to throw dice for their lives, and the loser was shot in the presence of his comrades. Thus, at the cost of a single life, discipline was restored, without which the army would have dissolved into chaos.¹

The remainder of the army gave no trouble, and on the 19th Cromwell received the thanks of the House of Commons for the service which he had rendered. Now that the King had left Hampton Court there was no longer any reason for keeping the headquarters of the army in the immediate neighbourhood of London, and they were consequently removed from Putney to Windsor.² The hostile feeling which prevailed between the army and the City was, however, by no means allayed, and as the City continued remiss in the payment of its assessments, Fairfax ordered Hewson to enter London with his regiment in order to enforce payment. On the 20th the House of Commons, taking alarm at this open interference of the military commanders with the affairs of government, directed Cromwell to stop Hewson's march. At the same time the House urged the City to pay the money for want of which the soldiers were compelled to live at free quarter.³ In spite of all that could be said, the citizens kept their purses closed, well pleased if by refusing the army the means of paying its way they could make its very existence intolerable to the nation.

Whatever might be the future relations between the army and the City, the restoration of military discipline left no doubt in Charles's mind that if he

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Nov. 19.
Cromwell
thanked.

Hewson
sent to
London.

Nov. 20.
He is
stopped
by the
Commons.

Nov. 16.
A message
from the
King.

¹ *Rushw.* vii. 875; *Clar. St. P.* App. xlii.; Fairfax to Manchester, Nov. 15, *L.J.* ix. 527; *The Moderate Intelligencer*, E. 416, 8; *Merc. Elencticus*, E. 416, 13.

² Fairfax to Scawen, Nov. 19, *L.J.* ix. 536.

³ *C.J.* v. 364.

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1647

Proposals
relating
to the
Church,

was to win the army at all he must deal with the officers, and not with the Levellers. Accordingly, on November 16, the day after the rendezvous on Corkbush Field, he sent to the Houses a message evidently intended as a compromise between his own views and *The Heads of the Proposals*. As far as the Church was concerned, he stood upon the maintenance of Episcopacy and the restoration of Church lands, though he was ready to consent that bishops should be assisted by their presbyters in conferring orders and in exercising jurisdiction, whilst their powers were to 'be so limited that they be not grievous to the tender consciences of others.' Then followed the stipulation, so often announced, that the Presbyterian system was to be untouched for three years, during which divines were to be consulted with a view to an ultimate settlement 'by his Majesty and the two Houses.' Charles further required that full liberty of worship should during these three years be accorded to himself and to 'all others of his judgment,' as well as 'to any other who cannot in conscience submit thereunto,' and also agreed that when the final settlement was reached there should be 'full liberty to all those who shall differ upon conscientious grounds from that settlement,' provided that there should be no toleration for 'those of the Popish profession,' or for 'the public profession of Atheism or blasphemy contrary to the doctrine of' the three creeds.

to the
militia
and other
demands.

As a security for his performance of these engagements, Charles offered to surrender the militia for his own life if the claims of his successors to full power over it were left untouched. On other points he was conciliatory, especially recommending to the Houses the consideration of the demands of the army

relating to 'the succession of Parliaments, and their due election.' Upon the strength of these offers, Charles asked to be admitted to a personal treaty in London.¹

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It may readily be conceded that in making these proposals Charles believed himself to be dealing fairly with all persons and interests; and even that, admitting that he could be trusted to act in the spirit as well as in the letter of his engagements, the acceptance of his overtures would offer a fair prospect of bringing back the country to the orderly struggles of constitutional progress. With their experience of Charles's character, however, the Houses could not do less than scrutinise closely the possibilities left open to him, and it could hardly be doubted that the possession of the negative voice, conjoined with the general eagerness for peace, would render him master of the situation when the three years of Presbyterianism had come to an end. What was really needed was security that the King would abandon his ingrained habit of twisting the law in his own favour in order to be able to rule independently of Parliament and the nation. It was the increasing belief that Charles would never allow the will of the nation to prevail over his own which, far more than any difference of opinion as to the nature of the required settlement, made any understanding with him impossible.

Character
of the
offer.

Yet, though Parliament and army, in their different ways, upheld the right of the nation to mould its own destinies, they were unable to conceal from themselves that at least for the moment the nation desired a surrender to the King almost at any price. Those who had most to gain by the restoration of

Position of
the army
and Par-
liament
towards it;

¹ The King to the Houses, Nov. 16, *Const. Documents*, 243.

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and of the
Scottish
Commis-
sioners.

order and the disbandment of the army welcomed Charles's message as in every way satisfactory, and though the Scottish Commissioners condemned it in private as granting 'a full toleration of heresy and schism for ever,' they openly demanded of the Houses the admission of the King to the personal treaty which he desired.¹

The
Houses
hesitate.The army
leaders
wish to test
Charles's
sincerity.

For some days after the message arrived the Houses were inclined to take no notice of it, and to content themselves with pushing on their own propositions. The army leaders, on the other hand, were more anxious to test Charles's sincerity than to examine any proposals which he might think fit to make. His friendliness with the Scottish Commissioners, and possibly also information received from Hammond, led them to suspect that Charles had motives in escaping from Hampton Court beyond those arising from a sense of personal danger. Was it not possible, for instance, that he intended to escape by sea to Scotland, there to put himself at the head of the invading army with which they had for some time been threatened? So deeply had this suspicion sunk into their minds that on the 18th or 19th Ireton, 'standing by the fireside at his quarters at Kingston, and some speaking of an agreement likely to be made between King and Parliament now the person of the King was out of the power of the army, replied, with a discontented countenance, that he hoped it would be such a peace as we might with a safe conscience fight against them both.'²

Nov. 18.
Ireton's
language
about the
King.

¹ The King to Lanark, Nov. 19; Loudoun, Lauderdale, and Lanark to the King, Nov. 22, *Burnet*, v. 125, 126; the Scottish Commissioners to Manchester, Nov. 17; Paper from the Scottish Commissioners, Nov. 25, *L.J.* ix. 532, 542.

² Huntington's *Sundry Reasons*, p. 11, E. 458, 3. Huntington puts the date of this conversation 'about six days after it was fully known

On the 21st, Ireton wrote to Hammond hinting at the suspicions entertained at headquarters, and encouraging him to hold the King fast, and to trust rather to a guard of soldiers than to one composed of inhabitants of the Isle of Wight. "The Lieutenant-General," he added in a postscript, "is at London or Putney, and on scout I know not where."¹

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Nov. 21
His letter
to Ham-
mond.

Cromwell
'on scout.'

These enigmatical words may fairly be elucidated by a story which in various forms was current in the end of the seventeenth and the beginning of the eighteenth century. Lord Broghill, a younger son of the first Earl of Cork, and after the Restoration created Earl of Orrery, was during the Commonwealth and Protectorate on terms of close intimacy with Cromwell. In a life of Orrery² written by his chaplain, Thomas Morrice, a story is told as having been related by Orrery himself, of his asking Cromwell in 1649 why the army had not persisted in its attempt to come to terms with the King. "The reason," Cromwell is alleged to have replied,³ "why we would

Cromwell
and Lord
Broghill.

Morrice's
story.

by the Parliament and army that the King was in the Isle of Wight,' which would be on the 21st. On the 21st, however, Ireton was certainly at Windsor, whereas his regiment was reviewed at Kingston on the 19th, for which purpose it would arrive at Kingston on the 18th. If we suppose that Huntington meant six days after the King's flight was known, it would bring the date exactly to the 18th. On the other hand, Huntington may have been merely mistaken about the date.

¹ Ireton to Hammond, Nov. 21, *Letters between Hammond and the D.H. Committee*, p. 22.

² Prefixed to *A Collection of State Letters of . . . Roger Boyle . . . first Earl of Orrery*.

³ The story is straightforward, and to my mind in the main probable, though absolute accuracy in detail is not to be expected in such a case. Mr. Firth has pointed out to me that it receives an incidental confirmation from a passage in Sir T. Herbert's *Memoirs* (ed. 1702), p. 63, in which the writer, speaking of Hamilton's preparations, adds that 'it hath been suggested by some . . . that the King by a letter from the Queen was acquainted therewith, which letter was intercepted, the seal violated, and the letter read by some great officers of the army, members of the Commons House,' and that Dugdale in

once have closed with the King was this: we found the Scots and the Presbyterians began to be more powerful than we; and if they made up matters with the King we should have been left in the lurch, therefore we thought it best to prevent them by offering first to come in upon any reasonable conditions; but while we were busied in these thoughts there came a letter from one of our spies who was of the King's bedchamber,¹ which acquainted us that on that day our final doom was decreed; that he could not possibly tell what it was, but we might find it out if we could intercept a letter sent from the King to the Queen, wherein he declared what he would do.² The letter, he said, was sewed up in the

his *Short View of the late Troubles* (ed. 1681), p. 378, mentions that it had been said that Cromwell really intended to restore the King, 'but that after he was brought to Hampton Court a certain letter from the Queen was intercepted by them and privately opened; the contents whereof were that she did thereby acquaint him that the Scots were raising or preparing to raise an army in order to his restoration, or expressions to that effect, and that Cromwell having seen this letter and made it up artificially that no violation of the seal could appear, conveyed it to the King, and the next morning sent Ireton on purpose to his Majesty, to enquire of him what he knew of any hostile preparations then in hand by the Scots to the purpose aforesaid. Unto which the King briefly saying that he did neither know nor believe anything thereof, Ireton returned with the answer, and that thereupon both of them concluding that his Majesty was not to be further trusted they did thenceforth resolve to proceed against him.' Both these writers give reasons for disbelieving the story told by themselves; but, what is of more importance, they agree in referring Cromwell's breach with the King to a discovery of his intrigue with the Scots. In this they agree with Morrice, though they refer that discovery to an intercepted letter from the Queen instead of to one from the King.

¹ This seems to mean a gentleman of the bedchamber, which could not be, as neither Ashburnham nor Berkeley was likely to act as a spy. Probably Morrice or his informant Orrery really meant to refer to some person employed by Hammond to attend on the King. The household afterwards appointed by Parliament was not yet named.

² Here comes in the only real difficulty about the story. How could any one employed by Hammond know that the King was going to write to the Queen on such a subject? The difficulties would be

skirt of a saddle, and the bearer of it would come with the saddle upon his head about ten of the clock that night to the Blue Boar Inn in Holborn,¹ for there he was to take horse and go to Dover with it. This messenger knew nothing of the letter in the saddle, but some persons in Dover did. We were at Windsor when we received this letter, and immediately upon the receipt of it Ireton and I resolved to take one trusty fellow with us, and with troopers' habits to go to the inn in Holborn; which accordingly we did, and set our man at the gate of the inn, when the wicket only was open, to let people in and out. Our man was to give us notice when any person came there with a saddle, whilst we, in the disguise of common troopers, called for cans of beer, and continued drinking till about ten o'clock. The sentinel at the gate then gave notice that the man with the saddle was come in. Upon this we immediately arose, and, as the man was leading out his horse saddled, came up to him with drawn swords and told him we were to search all that went in and out there, but as he looked like an honest man we would only search his saddle and dismiss him. Upon that we ungirt his saddle, and carried it into the stall where we had been drinking, and left the horseman with our sentinel. Then, ripping up one of the skirts of the

considerably lessened if we accept in the main the stories referred to by Herbert and Dugdale. If Cromwell had seen a letter from the Queen to the King suggesting his throwing himself on the Scots—and it would be very strange if she did not write to this effect—he would naturally expect that the King's answer would, if he could get hold of it, certify him as to the King's acceptance or rejection of his wife's advice. I suspect that the spy, knowing this, simply wrote to say that the answer was coming in a particular way, and that either Cromwell, Orrery, or Morrice subsequently imputed to the spy more knowledge than he actually possessed.

¹ The site is now occupied by the Inns of Court Hotel. See Cunningham's *Handbook to London, Past and Present*.

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saddle, we there found the letter of which we had been informed. As soon as we had the letter we opened it; in which we found the King had acquainted the Queen that he was now courted by both the factions, the Scotch Presbyterians and the army, and which bid fairest for him should have him, but he thought he should close with the Scots sooner than the others. Upon this we took horse and went to Windsor, and finding we were not likely to have any tolerable terms from the King, we immediately, from that time forward, resolved his ruin."

Another
story.

In addition to this story, in which the cause of the breach between Cromwell and the King is assigned to the intrigues of the latter with the Scots, another and quite different tradition assigned it to the discovery of Charles's intention to shake himself loose from all promises made by him to the army and Ireton after his restoration to power. This second story is first heard of in 1696, when it was told by Roger Coke as a mere rumour.¹ It reappears in an assertion which Wagstaffe made in 1711,² to the effect that he had heard that the intercepted letter of Charles, which was alleged to have revealed his intentions, was in the hands of Millington, the auctioneer, but that on making application to Millington he had been refused even sight of it.³ The story took a lasting shape in a conversation held about 1743, when Bolingbroke told Pope that Lord Oxford had assured him that he had had in his hands an intercepted letter from Charles to the Queen, and, as it would seem from Bolingbroke's reported language, also the letter of the Queen to which it had been an

¹ Coke's *Detection* (2nd edit. 1699), i. 166.

² Wagstaffe's *Vindication* (3rd ed. 1711), p. 13.

³ Possibly fearing that Wagstaffe might want to destroy evidence against the 'martyr king.'

answer. According to the most probable account of the contents of the letters, Henrietta Maria having desired her husband 'not to yield too much to the traitor,' Charles replied that 'she need not have any concern in her mind on that head, for whatever agreement they might enter into, he should not look upon himself as obliged to keep any promises made so much on compulsion whenever he had power enough to break them.'¹

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On the supposition that these two stories be substantially true, it becomes possible, at least conjecturally, to explain the postscript of Ireton's letter of the 21st.² By that time, it is to be supposed, the Queen's letter had come into Cromwell's hands. He would, therefore, be 'on scout,' making arrangements for intercepting the expected reply. Upon his return to Windsor a day or two later, perhaps on the 23rd or 24th, he would have received intelligence from the spy at Carisbrooke, and, in Ireton's company, have waylaid the King's answer at the Blue Boar in Holborn.³

Ireton's
postscript
explained.

¹ Spence's *Anecdotes* (ed. 1820), 298; Richardson's *Richardsoniana* (ed. 1776). The statement that Pope derived his information from Bolingbroke is taken from Richardson, but I have inserted the statement of what Bolingbroke said about the contents of the letter as it is given by Spence. Richardson's report is far more rhetorical, as he alleges that Bolingbroke quoted Charles as saying that 'he should know in due time how to deal with the rogues who, instead of a silken garter, should be fitted with a hempen cord.' The language attributed to him in Spence's report, on the other hand, is no more than he is known to have used on other occasions. It is most unlikely that there should have been two sets of intercepted letters, and, though these two stories coming from entirely different sources do not in any way corroborate one another, yet each of them may have referred to a different part of a real letter. This view of the case receives additional corroboration from the neatness with which the narrative given of their discovery fits in with facts known from other sources.

² See p. 259.

³ The visit to the Blue Boar is said to have taken place when Cromwell and Ireton were at Windsor, and therefore, necessarily, not before Nov. 19.

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Nov. 25.
Sudden
action of
the Lords.

If, again, the discovery be assigned to the 23rd or 24th, an explanation is found for the part so suddenly taken on the 25th by the House of Lords, which was at this time in the hands of an Independent majority.

However this may have been, the Lords now, after allowing the King's offer to remain unnoticed for no less than nine days,¹ appointed a committee to select some of the propositions formerly presented at Newcastle and Hampton Court to be laid before the King 'for our present security.' After a short delay, the committee reported that four of the propositions were suitable for the purpose. The first gave Parliament authority over the militia directly for twenty years, and indirectly for all time to come, by declaring that the Crown should never exercise it without the consent of the Houses. The second and third revoked Charles's declarations against the Houses, and annulled the honours which he had recently granted; whilst the fourth gave to the existing Parliament the right of adjourning itself to any place which the Houses thought desirable.²

Four Pro-
positions
to be laid
before the
King.

Nov. 26.
The Pro-
positions
to be
turned
into Bills.

On the 26th, the Lords sent the Four Propositions to the Commons, that they might there be converted into Bills, accompanying them with a recommendation that, when they had passed both Houses, the King should be informed that, as soon as he had given to them the royal assent, he would be at liberty to come to London in order to treat personally with Parliament on all other points at issue. On the following day the Commons accepted the Lords' suggestion by the small majority of nine.³

The King
to come to
London if
he accepts
them.

¹ See p. 258.

² *L.J.* ix. 541.

³ *C.J.* v. 370. The tellers for the majority were Algernon Sidney and Sir John Evelyn, both Independents; for the minority, Morley and Henry Marten. Probably the minority was composed of those who

If at first sight this scheme, which proceeded from the Independent House of Lords, seems to have been but an ungenerous response to the conciliatory offer recently made by Charles,¹ it should be remembered that those who drew it up had the strongest reason to doubt Charles's sincerity. Though the Independents, knowing all that they knew, were not yet prepared to cast away all hope of a reconciliation with Charles, they considered that a reconciliation must now be based on a searching test of the King's sincerity. If Charles accepted the fourth proposition, he would practically abandon the intention attributed to him of coercing Parliament with the help of the Londoners, whilst if he accepted the first he would place the military forces of the nation in the hands of Parliament. When once the Crown had been stripped of its control over the militia, the precise nature of the constitutional reforms which were demanded on all sides might be left to free discussion and to the play of natural forces in Parliament or elsewhere. These, as can hardly be doubted, were the ideas which now inspired the action of the Houses in the selection of the Four Propositions.

Cromwell had not to wait for the King's answer till the Propositions were presented. Though Charles was probably serious in his offer to abandon authority for a term of years, or even for his own lifetime, it was always on the understanding that the powers which he had received from his father should ultimately return to his son. He could never comprehend how wide a gulf there was between himself and the most conciliatory of his opponents. Even

wished to have no treaty with the King and those who wished to subject him to less stringent terms.

¹ See p. 256.

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Nov. 27.
An Independent
policy.

A searching
test.

Charles
hostile
to it.

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Nov. 26.
He appeals
to Fairfax.

Nov. 28.
Berkeley at
Windsor.

He meets
with a
rebuff.

Berkeley
receives
informa-
tion that
Cromwell
has aban-
doned the
King.

now, when the news of the Lords' vote on the Four Propositions reached his ears, he fancied that the army chiefs must be on his side, and on the 26th he despatched Berkeley to urge Fairfax to support his request for an unconditional personal treaty.¹

On November 28, Berkeley appeared before the Council of the Army at Windsor² as the bearer of a message, which was virtually a demand, that officers and soldiers should oppose Parliament by placing the King, without conditions, in a commanding position. It was no matter of wonder that Berkeley met with a rebuff. Fairfax told him briefly 'that they were the Parliament's army, and therefore could not say anything to his Majesty's motion of peace, but must refer those matters to them to whom he would send his Majesty's letters.' Cromwell and Ireton had but cold looks for the disappointed messenger.³

Before many hours passed, Berkeley was in possession of what he believed to be the key to the mystery. In the dead of the night he received a visit from a general officer⁴ who continued to sympathise with the King, and who now poured forth a long invective against Cromwell and Ireton. They were now, he affirmed, seeking to make their peace with the army on account of the apprehensions which they entertained for their own personal safety. It had been proposed, the officer added, 'to send eight hundred of the most disaffected of the army to secure' the King, 'and then to bring him to his trial.' Cromwell,

¹ The King to Fairfax, Nov. 26, *Propositions from the King's Majesty*, E. 418, 8.

² *The Moderate Intelligencer*, E. 418, 9.

³ *Propositions from the King's Majesty*, E. 418, 8; Berkeley's *Memoirs*, 70.

⁴ The term was more loosely employed at that time than it is now, such a person, for instance, as a Scoutmaster General being included in it.

too, had openly declared ‘that the glories of this world had so dazzled his eyes that he could not discern clearly the great works the Lord was doing; that he was resolved to humble himself, and desire the prayers of the saints, that God would be pleased to forgive his self-seeking.’

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Bitter as was the language of Berkeley’s informant, he said no word from which it could be inferred that Cromwell was personally concerned in the design of bringing the King to trial, whilst all that he had to say about his motives was manifestly founded on conjecture alone. There is, however, no reason to doubt that Cromwell at this time openly announced that he had abandoned his desire to re-establish Charles upon the throne, and that he accompanied the announcement with pious acknowledgment of his own past self-seeking and pride. It was Cromwell’s usual way of saying that he had found himself to have been mistaken, and there is no reason to suppose that he had not convinced himself that his mistake was a moral fault as well as an intellectual blunder. On the following morning, if, at least, he is accurately reported, he sent a message to Berkeley more after the fashion of the world. “He sent me word,” wrote Berkeley afterwards, “that he durst not see me, it being very dangerous to both; and bid me be assured that he would serve his Majesty as long as he could do it without his own ruin, but desired that I would not expect that he should perish for his sake.”¹ Berkeley’s mission had, indeed, revealed to Cromwell that the test which he had sought to impose on Charles had been rejected. From that time he made up his mind that Charles could never, with advantage to the nation, be readmitted to any real share in its

Its general
accuracy.

Nov. 29.
Cromwell
announces
to Berkeley
his breach
with the
King.

His
position
towards
Charles

¹ Berkeley’s *Memoirs*, 76.

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Cromwell
and
Hammond.

government. He had not yet come to the conclusion that it was either right or prudent to punish him for his past misconduct.

That the same knowledge which cleared away Cromwell's hesitations acted on the far weaker mind of Hammond there can be little doubt. Hammond had for some days after the King's arrival been passing through what Cromwell, in writing to him, styled his 'temptation';¹ temptation, it may be presumed, to let the King go where he would, and thus to free himself of all responsibility in the matter. Hammond now seems to have made up his mind that he would not suffer the King to escape,² though he took care that his change of view should not be known to Charles. When, early in December, Berkeley returned to the Isle of Wight, he was firmly convinced that nothing but the King's own irresolution stood in the way of his flight, and when, on December 4, the Scottish Commissioners proposed to Charles that he should betake himself to Berwick, they did not suggest the existence of any obstacle in his way.³

Dec.
The King
supposes
it to be
still easy
to escape.

Dec. 4.

Nov. 27-30.
Change
in the
attitude of
the House
of Com-
mons.

It is not unlikely that Charles was encouraged to hold his ground by a change in the attitude of the Commons. Either because the Presbyterians who had supported the Independent leaders in the division on the Four Propositions began to realise the true meaning of the vote which they had given, or from some other cause now unknown, the last days of November were allowed to slip by without any attempt to

¹ Cromwell to Hammond, Jan. 3, 1648, letter lii.

² When Berkeley was at Windsor, Cromwell and Ireton, on receiving from him Hammond's commendatory letter, 'smiled with much disdain upon it.' This looks as if they knew that Hammond had already made up his mind against the King, though it is, of course, no evidence that he had done so.

³ Berkeley's *Memoirs*, 79; Loudoun, Lauderdale, and Lanark to the King, Dec. 4, *Burnet*, v. 132.

convert the Propositions into Bills. On December 1 the Presbyterians resumed the offensive. On that day a petition was presented by the City asking that the army might be removed to a greater distance and the Covenant fully observed,¹ and it was only after Vane had threatened the House with a fresh military intervention,² and a large number of Presbyterians had left the House in disgust, that the petition was practically rejected. It was expected that if the result had been different the Presbyterians would follow up their victory by a vote restoring to their seats the ten survivors of the eleven members, and also the impeached lords, and there was no reasonable doubt that a solid Presbyterian majority thus formed in both Houses would have welcomed a personal treaty with Charles without imposing upon him any test whatever. So great was the indignation caused amongst the Presbyterians by Vane's language that there was even some talk of surprising the House into a vote for its own dissolution, and of thus solving all questions in dispute by an appeal to the electorate.³

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Dec. 1.
A City
petition.
Vane's
threat.

The
petition
rejected.

Fears of
the Inde-
pendents.

For the present, however, the fear of the army prevailed. On November 27 the attendance had been 225. On the afternoon of December 1 the Commons, with sadly diminished numbers, there being only 138 members present, proceeded to convert the Propositions into Bills. On December 3 the Four Bills, as they were now called, were read for the second time.⁴

Dec. 1-3.
The Four
Bills pro-
ceeded
with.

¹ *L.J.* ix. 550; *C.J.* v. 374.

² "Young Vane openly threatened the bringing up again of the army." Letter of Intelligence, Dec. 2, *Clarendon MSS.* 2,672.

³ Grignon to Brienne, Dec. $\frac{13}{23}$, *R.O. Transcripts*; Letter of Intelligence, Dec. $\frac{2}{12}$, *ib.* 2,671, 2,672.

⁴ *C.J.* v. 373, 375.

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Dec. 6.
A fresh
appeal for
a personal
treaty.Dec. 14.
The Four
Bills
passed.Charles
applies
to the
Scottish
Commis-
sioners,Dec. 13.
but fails to
satisfy
them.He con-
tinues to
trust
Hammond.

A victory obtained by such means served only to strengthen Charles in his conviction that public opinion was on his side, and on December 6, turning a deaf ear to Berkeley's warning that, if he lingered much longer in the Isle of Wight escape would cease to be possible, he addressed to Parliament a fresh appeal for a personal treaty.¹ As Parliament was now composed, it was not likely to give ear to his request, and on the 14th, the Four Bills having passed through their final stages, a committee was appointed to carry them to Carisbrooke for the King's acceptance.²

As the days passed on Charles turned himself more decidedly in the direction of the Scots. Yet the Scottish Commissioners, men of the world as they were, had certain requirements to insist on, and on December 7³ they sent Traquair to Carisbrooke to induce Charles to relax his pretensions in the matter of religion. On December 13, after Traquair's return to London, they had to inform him that if he could not give better satisfaction on that point Scotland would do nothing for him.⁴ Of his own power to effect his escape Charles had still no doubt, not having the slightest suspicion that his letter to the Queen had been intercepted, with the result of converting Hammond, who had been half disposed to assist him, into a spy on behalf of his opponents.⁵

¹ The King to the Houses, Dec. 6, *L.J.* ix. 567.

² *L.J.* ix. 574. The Four Bills themselves are in *Const. Documents*, 248.

³ Traquair was at Carisbrooke on the 8th. The King to Loudoun, Lanark, and Lauderdale, Dec. 8, *Burnet*, v. 136.

⁴ Loudoun, Lauderdale, and Lanark to the King, Dec. 13, *ib.* v. 137.

⁵ "Though no time hath been nor shall be lost for my going from hence; yet, contrary to expectation, it will be ten days before the ship can be ready; and I confess that this had been too late if the governor had permitted forces in hither; wherefore I am confident that I shall

A mere escape to a place of safety was, however, not what Charles had in mind, and on the 15th he sent to the Scottish Commissioners the draft of a memorandum setting down the terms to which he was now willing to agree.¹ Contrary to his expectation, the commissioners declared that further alterations would be necessary, but they were sufficiently encouraged by the tone of his offer to fulminate at inordinate length a fierce protest against the proceedings of the Parliament and army, concluding with demands for a personal treaty with the King, the maintenance of the covenant, the establishment of Presbyterianism in England, the disbandment of all armies, and the restitution of the rights of the King, especially his authority over the militia, and his power of negating bills presented to him by Parliament.²

On December 24 the joint committee of the Houses, with Denbigh at its head, presented the Four Bills to Charles, informing him that he would be allowed four days to consider his answer. About the same time the three Scottish Commissioners, Loudoun, Lauderdale and Lanark, had appeared at Carisbrooke to urge him to further concessions to themselves. There could be no doubt in Charles's mind which of the rival groups of emissaries he would prefer. Whatever the Scots might demand, they were pre-

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Dec. 15.
The draft
of an en-
gagement
sent to the
Scots.Dec. 18.
Protest of
the Scots.Dec. 24.
The Four
Bills pre-
sented to
Charles.The
Scottish
Commis-
sioners at
Caris-
brooke.Charles
decides to
accept
their
terms.

not be surprised for time." The King to Loudoun, Lauderdale, and Lanark, Dec. 14, *ib.* v. 138. After Berkeley's visit to Windsor Cromwell had interfered to stop the issue of a warrant for his arrest, and to permit Ashburnham and Legge to remain at large (Letter of Intelligence, Dec. 2, *Clar. St. P.* ii. app. xlii.). Probably Cromwell's object was to make it easier to discover the King's projects.

¹ Postscript, dated Dec. 15, to the King's letter of the 14th, *Burnet*, v. 138.

² The answer of the Commissioners, *L.J.* ix. 591.

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pared to hold cheaply the liberties of Englishmen and to leave to the monarchy the supreme military authority and the negative voice by which the King had been able to stop all legislation obnoxious to himself; whilst the English committee, by insisting on divesting the crown of power over the militia, would have reduced the King to a position of subordination to the national will expressed in Parliament. The main political issues of the Revolution were embodied in this opposition between the Englishmen and the Scots now in his presence, and it was but natural that Charles, regarding the matter from his own point of view, should decide in favour of the Scottish Commissioners.

Temper
of the
Scottish
Commis-
sioners.

Whether his so doing would win the Scottish nation to his side was another question. The present Commissioners, with the doubtful exception of Loudoun,¹ represented the Scottish nobility, not the Scottish Church. Their objects were political rather than religious, and if in questions of religion they insisted on stricter terms than Charles liked to grant, he had at least the knowledge that they were not the men to be very seriously indignant if he afterwards found it impossible or inconvenient to carry out to the letter all the promises that he made.

Dec. 26.
The en-
gagement
signed.
The
scheme
for a
religious
settlement.

Accordingly, on December 26, Charles signed an agreement—known as the Engagement—between himself and the Scottish Commissioners. On the question of the covenant Charles accepted a compromise. He agreed to confirm it by Act of Parliament, so far as to give security to those who had taken it, but he refused to allow any one to be con-

¹ Loudoun was now working with the Hamilton party, but he subsequently reverted to his natural position as a Campbell in Argyle's following.

strained to take it in future. In other respects he stood by his offer made on May 12.¹ The Presbyterian system was to be established for three years, during which time plans for a final settlement of all Church questions were to be discussed in the Assembly of Divines, reinforced by twenty members appointed by himself, though no resolution of this body was to have any binding force till it had received his assent and that of the two Houses. The solution here proposed, as the commissioners could not fail to perceive, was not likely to make the Church of England permanently Presbyterian.

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On another point Charles and the commissioners agreed to have no ambiguity. Charles declared himself ready to do everything in his power 'for suppressing the opinions and practices of Anti-trinitarians, Anabaptists, Antinomians, Arminians, Familists, Brownists, Separatists, Independents, Libertines, and Seekers, and generally for suppressing all blasphemy, heresy, schism, and all such scandalous doctrines and practices as are contrary to the light of nature or to the known principles of Christianity, whether concerning faith, worship, or conversation: or to the power of Godliness, or which may be destructive to order and government or to the peace of the Church and kingdom.' Charles likewise expressed his readiness to confirm all Acts passed in the last Scottish Parliament.

Heretics to
be sup-
pressed,

and
Scottish
Acts con-
firmed.

On these terms Charles proposed that the kingdom of Scotland should engage to support his demand for a personal treaty in London, and for the disbandment of all armies with a view to a peaceable discussion. If this demand was refused, the Scots were to issue a Declaration 'wherein they shall assert the right

Suggested
Scottish
intervention.

¹ See p. 69.

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which belongs to the Crown in the power of the militia, the Great Seal, bestowing of honours and offices of trust, choice of Privy Councillors, the right of the King's negative voice in Parliament, and that the Queen's Majesty, the Prince, and the rest of the royal issue, ought to remain where his Majesty shall think fit, in either of the kingdoms, with safety, honour, and freedom.' Upon the issue of this Declaration, a Scottish army was to be sent into England to settle a lasting peace, 'in pursuance whereof the kingdom of Scotland' was to 'endeavour that there may be a free and full Parliament in England, and that his Majesty may be with them in honour, safety, and freedom, and that a speedy period be set to this present Parliament, and that the said army shall be upon the march before the said peaceable message and Declaration be delivered to the House.'

The King's
offer.

All persons in England or Ireland supporting the King in pursuance of this agreement were to be protected, and might join in his defence. When peace was settled there was to be an Act of Oblivion. For the present the King or Prince was to go to Scotland if invited to do so. The King was to do everything in his power 'both at home and abroad' to assist the Scots in carrying on the war, and to authorise them to possess themselves of 'Berwick, Carlisle, Newcastle, Tynemouth, and Hartlepool' as long as the war lasted. Moreover, Charles was to secure to his Scottish subjects the money still owing to them by the votes of the English Parliament, and if possible to bring about a complete union between the kingdoms, or, if that could not be effected, to establish complete freedom of trade between them.

Besides this, his Majesty's ships were to guard the coasts of Scotland.

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Privileges
to be given
to Scots.

By additional articles, Charles promised to employ Scots equally with Englishmen in foreign negotiations, to admit 'a considerable and competent number of Scotsmen' to the English Privy Council, the same number of Englishmen being admitted to the Scottish Council. A third part of the persons employed in places of trust about the King, the Queen, and the royal family were always to be Scots; and the King and Prince were to reside in Scotland as often as they were able to do so.

On the 27th, the three Scottish commissioners declared under their signatures their personal acceptance of the Engagement, and their confidence that it would be adopted in Scotland. The King then took them to witness that he did not bind himself in any way to forward the Presbyterian government in England, or to cause any to suffer for rejecting it, excepting those who were excepted in the clause against toleration.¹

Dec. 27
The com-
missioners
personally
accept the
Engage-
ment.

The Engagement thus signed was wrapped in lead and buried in the Castle garden till a convenient opportunity for carrying it with safety out of the island should arise. There was no longer room for dallying with the commissioners of the English Parliament. On the 28th, Charles dismissed them with a written answer addressed to the two Houses, in which he definitely rejected the Four Bills, pleading against them with no slight ability as prejudging the questions at issue, and giving permanently to the Houses

The En-
gagement
buried.

Dec. 28.
Charles
rejects the
Four Bills

¹ The Engagement and the Additional Articles, Dec. 26, 27, *Const. Documents*, 259, 264.

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an arbitrary and unconstitutional power over the militia. That the most important question at issue between him and the framers of the Four Bills was the value of his own word Charles was never likely to admit, even in the recesses of his own mind, far less in a manifesto addressed to the Parliament and nation.

CHAPTER LVIII.

THE VOTE OF NO ADDRESSES.

As far as the government of England was concerned, the scheme propounded in the Engagement was substantially the one adopted at the Restoration. The armies were to be disbanded, a new Parliament called, the authority of the militia restored to the King, and his right of refusing his assent to Bills acknowledged. If a Scottish army was to be introduced to give effect to this plan, it was to come, according to Charles's apprehension at least, not to impose its will on a reluctant nation, but to liberate England from overmastering force.

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The
scheme
of the
Engage-
ment com-
pared with
that of the
Restora-
tion.

Nevertheless the difference between the situations in 1647 and in 1660 was in reality enormous. It is to be measured not by comparing documentary stipulations but by comparing the personal characters of Charles I. and his son. Charles II. might be trusted not to push his claims farther than suited his own convenience. His first thought would be to keep on fairly good terms with his Parliament, because in that way only could he avoid exile from the pleasures and amusements of Whitehall. In the hands of such a man, powers verbally fatal to political liberty would be robbed of half their terrors. In the hands of Charles I., even the loosest acknowledgment of the claims of the monarchy would be dangerous. He was at the same time conscientious

Charles I.
and
Charles II.

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and untrustworthy. He would insist upon doing that which he honestly believed to be right, and would attempt to gain his ends by deceiving those with whom he had to deal so long as the deception did not involve the utterance of a direct falsehood, though even this latter rule he did not consider binding upon him in every case.

Charles's
contra-
dictory
promises
about
toleration.

How hopeless it was to expect straightforward dealing from Charles I. might easily have been made clear if only those who were his accusers had had access to the Engagement. In his message to the Houses sent on November 16, he had declared for toleration.¹ In the Engagement on December 26 he declared against it.² The conclusion is obvious that in one or other case, if not in both, he was insincere, and that he regarded his promises merely as stepping-stones to the restoration of an authority which he intended to exercise in accordance with his own ideas.

Position of
the army.

It was thus in reality against entrusting the government of the nation to a man in whom no confidence could be placed that the army had raised its protest; and its dissatisfaction with Charles's conduct was greatly heightened by a well-founded belief that Charles intended to call in a Scottish army to redress the balance of the constitution in his own favour. An army, like all other minorities, even when placed in conditions favourable to action, cannot hope for more than temporary success unless it can bring the majority round to its own way of thinking, and it was not likely that the political principles which had prevailed in the Army Council at Putney would commend themselves to the nation for many a year to come. On the temporary question of barring the

¹ See p. 256.

² See p. 273.

way against Charles's personal restoration to power, the army had every chance of success if only its own discipline could be maintained. Charles's partisans were indeed numerous, but they had little clear insight into the problem which they hoped to solve, and many of them were from time to time driven by some fresh revelation of Charles's insincerity to regard with alarm the attainment of that very object which they had in view.

Whatever else Charles might succeed in accomplishing, he had at least restored unity of action to the army. There were some, no doubt, who continued to wish for the King's trial and execution. There were others who wished for his trial and deposition, whilst others, again, would have been content to set him aside without any sort of trial.¹ On the practical question of the day, however, all, including men who in other respects differed from one another as widely as Cromwell and Rainsborough, were in complete accord. If the King and his Scottish allies were to be opposed, it was only in the name of the existing Parliament, whatever might be its demerits, that the battle could be fought, and, to gain that end, subsidiary questions must for the present be waived.

Cromwell
and Rains-
borough.

Accordingly, the causes of difference at headquarters were quietly dropped. Rainsborough and his friends abandoned all pretence of winning their objects by encouraging mutiny, and Cromwell, now assured that discipline would be maintained, raised no obstacle to the liberation of such officers and soldiers as had been imprisoned for the part which they had taken in the late disturbances. On De-

Dec. 21.
An agree-
ment in
the army.

¹ Grignon to Brienne, Jan. $\frac{1}{13}$, *R.O. Transcripts*.

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Dec. 22.
A prayer-meeting.

Rainsborough to be Vice-Admiral.

Dec. 23.
The mutineers pardoned.

Dec. 24.
The Commons vote for Rainsborough's appointment, but the Lords refuse their consent.

The army's arrears and pay to be secured.

Charles's prospects of popular support.

cember 22 there was held at Windsor a great prayer meeting, at which many of the officers and soldiers, including Cromwell and Ireton, prayed fervently from nine in the morning to seven at night. In the evening, the Council of the Army adopted a resolution that Fairfax should be asked to forgive Rainsborough's offence and to request Parliament to confer on him the office of Vice-Admiral.¹ On the following morning, a number of soldiers and officers brought up for trial as mutineers before the Council of the Army were pardoned on promises of submission.

In asking for Rainsborough's appointment, the Council of the Army was probably to some extent influenced by a desire to place a trustworthy officer in command of the ships about to be sent to guard the sea round the Isle of Wight. On the 24th, the Commons gave their approbation to the request, but the Lords, who held all Levellers in horror, refused their consent.² Both Houses, however, concurred in providing, so far, at least, as ordinances could provide, for the levying of money for the soldiers, requiring in return that the system of free quarter should be abandoned, and all supernumerary forces enlisted since August disbanded.

There was the greater reason why Cromwell and the Levellers should come to terms as, even before the rejection of the Four Bills, there had been signs that if the King could in any way raise his standard again, popular support would not be wanting to his cause. Though there is nothing to show that the people at large were hostile to the ecclesiastical changes which passed over their heads, they were exasperated at

¹ *Rushw.* vii. 943.

² *C.J.* v. 403; *L.J.* ix. 606.

the curtailment of their amusements which had followed in the wake of Puritanism, especially when on Christmas Day the authorities perversely enforced the opening of the shops and forbade the customary merry-makings.

Christmas Day in 1647 was marked by an explosion of feeling far more widespread than in any former year. At Canterbury, where the Mayor ordered a market to be held, a crowd appeared in the street with a football, and, forcibly shutting up the few shops which had been opened, proceeded to play in the street. The Mayor, attempting to quell the disturbance, was knocked down, and the windows of his supporters broken. On the 27th the rioting was renewed. Shouts were raised of, "Up with King Charles, and down with Parliament and Excise!" The Mayor, together with the other magistrates and some of the clergy, were driven out of the city and the gates barred against them. The County Committee brought 3,000 of the trained bands to suppress the disturbance; and afterwards took the gates off their hinges and made a breach in the wall. How widely spread was the dissatisfaction is shown by the fear expressed by the committee, that unless the sheriff chose a notoriously partial jury, it should be impossible to procure a conviction of the offenders.¹

Disturbances of the same kind occurred in many places. "The counties," wrote a London news-writer, "are full of discontents, many insurrections having been lately made, even near this city, for the

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Opposition
to the re-
striction of
amuse-
ments.

Dec. 25.
Christmas
day at Can-
terbury.

A riot in
the streets.

Dec. 27.
Renewal
of the riot.

Dec. 25.
Disturb-
ances else-
where.

¹ The Committee of Kent to Lenthall, Jan. 4, 5, 21, *Tanner MSS.* lviii. fols. 645, 653, 672; *Canterbury Christmas*, E. 421, 22; *A Declaration of many thousands of Canterbury*, E. 421, 23; *Rushw.* vii. 948.

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Christmas
in London.The
Royalist
press.

customs of Christmas.”¹ At Ipswich the riot was nearly as difficult to suppress as at Canterbury.² In London popular discontent showed itself in a less violent form. Churches and public places were adorned with rosemary and bay, and ministers, deprived for malignancy, occupied the pulpits and used the Book of Common Prayer.³ In the City itself, the apprentices decorated a pump in Cornhill with holly and ivy. The officers sent to pull down the greenery were driven back and chased through the street, and the Lord Mayor Warner had to intervene in person before order was restored. As his election to office had been forced by Parliament on the City after the troubles of the summer, resistance to him commended itself to municipal as well as to religious sentiment.⁴

So strong indeed was the current in favour of the King's restoration that Parliament found it impossible to control the Royalist press. For the first time since the beginning of the quarrel with the King, the great majority of newspapers and pamphlets published in London were strongly Royalist, while the Parliamentary prints contented themselves with giving a bald narrative of events, seldom making any attempt to vindicate the policy of their patrons. Though the tone of the defenders of the monarchy was always scurrilous and sometimes blasphemous,⁵ no serious

¹ Letter of Intelligence, Jan. 6, *Clarendon MSS.* 2,698.

² *The Perf. Weekly Account*, E. 421, 33.

³ *A Word in Season*, E. 422, 26.

⁴ *Rushw.* vi. 944; *The Kingdom's Weekly Post*, E. 422, 1.

⁵ The most offensive of these is *Ecce the New Testament* (E. 427, 22), published on February 18. It is a parody on the first four chapters of St. Matthew's Gospel, and begins, "The book of the generation of John Pym, the son of Judas, the son of Beelzebub." Verses 12 and 13 of chapter i. run thus: "Now the birth or beginning of this Parlia-

attempt was made to arrest either the authors or the printers.

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Cromwell's
view of the
situation.

For this combination of dangers Cromwell's mind could suggest no remedy, and in all probability no remedy of any kind was to be found. The one thing which he saw clearly was that it was necessary that Presbyterians and Independents should be united against Charles. On the 29th,¹ when certain Parliamentary commissioners arrived at head-quarters to make financial arrangements in pursuance of the recent vote of the Houses, they were assured by the chief officers that 'the spirit of the army was that since God hath put an opportunity now into their hands of purpose to settle the kingdom, if God should honour the army to be further helping to them, the army would live and die with them and for them willingly.' On the 31st Cromwell, Ireton, and other officers dined with the commissioners before their return to Westminster. "The agreement," wrote one who was present, "was sweet and comfortable, the whole matter of the kingdom being left to Parliament."²

Dec. 31.
A friendly
dinner.

Thus did Cromwell disguise from himself the undoubted fact that Parliament was in reality acting under pressure. To the extreme Levellers he appeared

ment was on this wise : When as their mother the Kingdom of England was allied or espoused to a great desire of reforming abuses ; and had therefore nominated their knights, citizens, and burgesses ; who (as soon as ever they came together) were found with child of schism, sedition, and rebellion ; then King Charles, being a just man and not willing to have him and the people ruined, was minded to dissolve them," &c.

¹ The meeting ended on the 31st after lasting for three days. The language given above can hardly have been used except at the opening of the discussion.

² *A Perfect Diurnal*, E. 520, 21.

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Cromwell
and the
Levellers.

Dec. 30.
*Putney
Projects.*

Haselrigg's
saying.

Lambert
in the
North.

Haselrigg
to be
Governor
of New-
castle.

as a dastardly time-server, changing sides in December from King to Parliament, as he had changed sides in June from Parliament to King, actuated by considerations of the merest self-interest. The press now teemed with pamphlets, in which he was charged with hypocrisy of the lowest kind, one of the ablest and most virulent being *Putney Projects*, written by Wildman under an assumed name and published on December 30. Some even of those who were now willing heartily to co-operate with him, found it difficult to reconcile his present action with his former persistent maintenance of the King's authority, and to this feeling Haselrigg gave expression in his own blunt fashion: "If you prove not an honest man," he blurted out to Cromwell himself, "I will never trust a fellow with a great nose for your sake."¹

All that could as yet be done to provide against a Scottish invasion was done. Lambert had some time before been sent down to take the command as major-general of all the forces in the north of England, and on December 30, the House of Commons confirmed Fairfax's appointment of Haselrigg to the governorship of the important post of Newcastle.²

The greater the danger from Scotland the more necessary it became to secure Charles in England, lest he should place himself at the head of the invading army. The remissness with which he had hitherto been guarded had indeed almost resulted in facilitat-

¹ "It's very like him," adds the reporter of this saying; "he is very downright usually according to his principles." *A Word to Lieut. Gen. Cromwell*, p. 19, E. 341, 30. No date is given to this conversation, but the pamphlet was published on Dec. 30, and the words were probably spoken after the prayer-meeting on Dec. 22.

² *C.J.* v. 439.

ing his evasion. The ship which he had for some time expected had at last arrived at Southampton, and on the 28th, after delivering to the Parliamentary commissioners his answer to the Four Bills, Charles resolved to take advantage of their absence to make his escape, especially as Hammond, who attended them as far as Newport, had also left the castle. A small vessel was in readiness to carry him to Southampton, and the wind was fair. Dressing himself hurriedly for the journey, he glanced once more at the vane, and discovered to his horror that the wind had changed and blew steadily from the north, making the passage down the Medina River and up Southampton water impossible.¹

Before counsel could be taken, Hammond returned from Newport, locked the gates of the castle and doubled the guards. He then sat down to write to the Houses and to Fairfax, imploring them that either the King might be removed from the island, or he himself be discharged from the thankless office of guarding such a prisoner. Hammond at least had no doubt that Charles's rejection of the Four Bills was tantamount to a declaration in favour of the Scots, and that it would now be his duty to become, in a real sense, the gaoler of the King. On the following morning he ordered Ashburnham, Berkeley, and Legge to leave the castle. Charles, as he well knew how, assumed a tone of injured innocence, and told Hammond that

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Dec. 28.
Charles
attempts
to escape.Hammond
secures
him.Dec. 29.
Dismissal
of Ash-
burnham,
Berkeley
and Legge.

¹ The story is told by both Berkeley and Ashburnham. Ashburnham places the attempt about six days before the arrival of the commissioners with the bills. This date, however, is improbable, in the first place because Charles, in writing to the Scottish commissioners on the 14th, says that the ship would not arrive for ten days (see p. 270, note 5), and in the second place, because he is not likely to have wanted to fly before the Engagement had been signed. I have therefore accepted Berkeley's date of the 28th.

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Burley
attempts
to rescue
the King.

his action was unworthy of a gentleman or a Christian.¹

As soon as it was known in Newport that Charles was practically a captive, a certain Captain Burley beat a drum to summon the islanders to follow him to the rescue of the King. A crowd of women and boys gathered round him, but he was secured without difficulty by the Mayor, as scarcely a man had joined him, and his means of resistance was limited to a single musket in the hands of one of his followers.²

Charles a
prisoner.

Charles was now, in a sense in which he had never been before, a prisoner. He was treated with respect, and a staff of attendants was appointed by the Houses to wait upon him, but his rides about the island with all their possibilities of escape were at an end.³ It can hardly be doubted that Hammond was acting in accordance with instructions from Fairfax,⁴ probably confirmed by the Parliamentary commissioners before their departure. On the 30th Fairfax despatched three officers to the island to strengthen Hammond in his resolution. On the 31st both Houses, rejecting Hammond's request to be relieved from his burden, resolved that the King should be detained in custody at Carisbrooke, whilst on January 1 the

Hammond
probably
acting
under in-
structions.Dec. 30.
Fairfax
supports
Hammond.Dec. 31.
Charles
to be
secured.1648.
Jan. 1.

¹ Berkeley's *Memoirs*, p. 91; Hammond to Manchester, *L.J.* ix. 620.

² *A Design by Capt. Burley*, E. 421, 24.

³ 'The castle,' according to a news writer, was 'not much differing from an old bishop's house: three or four great rooms for hospitality, the rest receptacles for soldiers and sea-gulls.' *The Moderate Intelligencer*, E. 419, 18.

⁴ "Now, blessed be God," wrote Cromwell to Hammond, "I can write and thou receive freely. I never in my life saw more deep sense and less will to show it unchristianly than in that which thou didst write to us when we were at Windsor, and thou in the midst of thy temptations—which indeed, by what we understand of it, was a great one and occasioned the greater by the letter the General sent thee, of which thou wast not mistaken when thou didst challenge me to be the penner." Cromwell to Hammond, Jan. 3, *Carlyle*, Letter lii. If the

Commons, no longer heeding the opposition of the Lords, instructed Rainsborough to take command of the ships which guarded the Solent.¹

Lords and Commons were, however, now divided on a far more important question than that of Rainsborough's appointment to a command at sea. On January 3, when the King's answer to the Four Bills was taken into consideration by the Commons, Sir Thomas Wroth moved that Charles should be impeached and the kingdom settled without him. This proposal, it is said, probably with truth, was warmly supported by Cromwell and Ireton.² If Clarendon is to be trusted, Cromwell gave as a reason for refusing his confidence to Charles that, 'whilst he professed with all solemnity that he referred himself wholly to the Parliament and depended wholly on their wisdom and counsel for the composing of the distractions of the kingdom, he had at the same time secret treaties with the Scots' commissioners how he might embroil the nation in a new war and destroy the Parliament.'³

The outcome of the debate was a proposal for a

letter here referred to had been preserved we should be in a better position to understand Hammond's relations with his superior officers. The most likely explanation is that Fairfax in the letter penned by Cromwell instructed Hammond to watch Charles's intercourses with the Scottish commissioners. Hammond may have disliked being employed as a spy, and in this way his temptation to connive at Charles's escape would be increased.

¹ *L.J.* ix. 620; *C.J.* v. 413. See p. 280.

² Walker's *Hist. of Independency*, 74. An impeachment did not necessarily imply a design to put Charles to death. Probably what Cromwell at this time wanted was that a formal charge should be brought against Charles, with a view to his deposition, and perhaps a sentence of imprisonment either for life or as long as there remained danger to the state from his intrigues with the Scots or others.

³ *Clarendon*, x. 146. In this part of his history Clarendon writes from hearsay, many years after the events he records. Here, however, the words attributed to Cromwell are just what would be expected from him.

Rains-
borough to
command
in the
Solent.

Jan. 3.
Proposal
that no
more
addresses
shall be
made to
the King.

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The vote
of No
Addresses.

Vote of No Addresses, such as Rainsborough had proposed and Cromwell had combated two months before.¹ No further addresses were to be made to Charles, and those who ventured to make them without leave from Parliament were to incur the penalties of high treason. The Houses also declared that they would receive no more messages from Charles. This proposal was carried by 141 to 91,² showing that the House was again full, and that many Presbyterians concurred with the Independents in thinking it impossible to come to terms with Charles now that he was bargaining with the Scots. Nothing, however, was done towards impeaching the King or deposing him, and there can be no doubt that if either measure had been proposed the majority which supported the vote of No Addresses would have fallen hopelessly to pieces.

The Com-
mittee of
Both
Kingdoms
dissolved.

If the Independent leaders were compelled to postpone to a more convenient season the difficult problem of finding a substitute for the King,³ they had no hesitation in putting a summary end to the existing connection of the Scottish commissioners with the government of England. Without a dissentient voice the House of Commons declared for the dissolution of the Committee of Both Kingdoms, and placed the supervision of public affairs in the hands of the English members of the late committee, who from thenceforward were known from the place in which they met as the Committee of Derby House. A further vote added to their numbers three decided Independents in the place of three Presbyterians who

The Com-
mittee of
Derby
House.¹ See p. 238.² *C.J.* v. 415.

³ According to the French ambassador they thought it more prudent to accustom the people to a practical experience of a government without a king before they gave it the name of a republic; but this may have been merely the guess of a looker-on. Grignon to Brienne, Jan. 19, 20, *R.O. Transcripts*.

were either dead or disqualified. Another committee was also named to draw up a declaration in justification of the Vote of No Addresses, and it was significant of the temper aroused in a House of which the majority was almost certainly Presbyterian that the first name on the list was that of Henry Marten.¹

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Though the House of Lords had been, since the recent impeachments, in the hands of an Independent majority, its members, as a body, showed little inclination even to consider the Vote of No Addresses,² knowing full well that those who were most eager to abolish monarchy were no less eager to abolish the House of Lords. On January 11 the Council of the Army came to the help of the Commons with a declaration, drawn up at Windsor two days before, in favour of their policy,³ whilst some of the Independents talked of reviving the old scheme of amalgamating the two Houses.⁴ These threats so far prevailed that on the 13th the Lords went into committee upon the Vote sent up to them by the Commons. The opposition was led by Northumberland on the ground that it was unwise to destroy one form of government before another had been created to take its place. On the 14th a special committee was named to prepare a resolution on which a vote might be taken, but it was understood that the result would not be such as to give satisfaction to the Commons.⁵ Unless the army

Hesitation
of the
Lords.Jan. 11.
The army
comes to
the help
of the
Commons.Jan. 13.
Opposition
in the
Lords.Jan. 14.
A hostile
committee.¹ *C.J.* v. 416.² *L.J.* ix. 643, 660.³ *Rushw.* vii. 962; *C.J.* v. 426.⁴ "We are very confident," wrote a furnisher of intelligence, "that the Lords shall be compelled to come and sit in the House of Commons, whether they consent to the vote of the House against the King or not." Letter of Intelligence, Jan. 13, *Clar. St. P.* ii. App. xlv.⁵ Grignon to Brienne, Jan. $\frac{17}{27}$, *R.O. Transcripts*.

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Disturb-
ance in
the City.Soldiers to
come to
Whitehall.Jan. 15.
The oppo-
sition in
the Lords
melts
away.The vote
of No
Addresses
accepted
by the
Lords.

Jan. 17.

Jan. 18.
Regiments
at White-
hall and
the Mews.

intervened, the Vote of No Addresses would go forth as the resolution of a single House.

A pretext for military intervention was easily found. Money was needed for paying off the supernumeraries of the army,¹ and an attempt to levy a tax for the purpose met with resistance in the City. A soldier was beaten by the mob, and the sheriffs, when they attempted to allay the disorder, were driven off the ground with shouts 'for the King and no plunder.'

On this the Commons asked Fairfax to send 2,000 men to occupy Whitehall and the Mews for the protection of Parliament.²

Before this hint the opposition in the Lords melted away. The three Peers whose dislike of the Vote was strongest, Stamford, North, and Robartes, absented themselves from the House, and the Vote of No Addresses was allowed to pass, with a preamble grounding the refusal to continue negotiations with the King on his rejection of the Four Bills, and on the necessity of using the 'utmost endeavours speedily to settle the present government.'³ On the 17th the preamble, having been accepted by the Commons, was issued together with the Vote itself as the resolution of both Houses. An address, which had been hitherto kept back, was then presented to the Lords in the name of the army, assuring them of the intention of the soldiers to support the peerage in its just rights and in the prosecution of the common cause.⁴ On the following day, in spite of this conciliatory language, Barkstead's regiment of foot took up its quarters at

¹ See p. 280.

² Letter of Intelligence, Jan. 13, *Clarendon MSS.* 2,703; *C.J.* v. 432.

³ *L.J.* ix. 662; *Rushw.* vii. 967; Grignon to Brienne, Jan. 17, *R.O. Transcripts.*

⁴ *L.J.* ix. 664.

Whitehall, and Rich's regiment of horse at the Mews.¹ The permanent presence of soldiers at Westminster made the power of the army more directly felt in London than it had ever been before.

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It had been easy, by barely concealed threats of military violence, to secure at least the semblance of constitutional sanction to the breach with the King. It was far less easy to provide a substitute for the authority that had been overthrown, and it is no matter for surprise that the Levellers saw in all that had taken place a mere attempt to substitute the rule of King Noll for the rule of King Charles. Lilburne was now at liberty—the Commons, much to the annoyance of the Lords, having admitted him to bail—and, on the 17th, he and Wildman addressed a meeting of Levellers held in East Smithfield, in a strain of unmeasured violence against the House of Lords. On the 19th the Commons, satisfied with their victory over the other House, ordered both the speakers to be committed for trial on a charge of sedition. Lilburne, indeed, after his usual fashion, questioned the validity of this order; but on the 20th his arrest was effected, and a sacrifice was thus made to the unreal union between the Houses.²

“King
Noll.”

The
Levellers
in East
Smithfield.

Jan. 19.
Order
for the
committal
of Lilburne
and Wild-
man.

Jan. 20.
Lilburne
arrested.

Jan. 22.
Captain
Burley
tried.

Whatever might be the ultimate determination of the Houses and the army on the constitutional question, the Commons at least proceeded as if their resolution had settled everything against the King. On January 22, Captain Burley³ was brought to

¹ *The Kingdom's Weekly Intelligencer*, E. 423, 7; *Heads of the State Passages*, E. 423, 11.

² *Rushw.* vii. 969, 970; *Truth's Triumph*, E. 520, 33; *The Triumph stained*, E. 426, 18; *A Whip for the present House of Lords*, E. 431, 1; *C.J.* v. 435, 437.

³ See p. 286.

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trial at Winchester as a traitor, his alleged treason consisting simply in his foolish attempt to deliver Charles from imprisonment. Burley having been condemned to death on the verdict of a jury, which the Royalists constantly affirmed to have been packed, suffered a traitor's death for the offence of having attempted to liberate one who, in the eye of the law, was still his sovereign.¹

Jan. 28, 29.
Case of the
seven im-
peached
Peers.

At every turn, the dominant party was met by difficulties inevitably arising from its attempt to give a constitutional sanction to courses which were essentially unconstitutional. The Lords having liberated the seven impeached Peers, on the ground that no formal charge was before their House, the Commons, on the 28th and 29th, sent up articles of accusation both against the Peers and against the ten survivors of the eleven members. One of the latter, Sir John Maynard, who had remained in England, being brought, on February 5, to the bar of the House of Lords, refused to kneel, pleading that, as a Commoner, the Lords had no jurisdiction over him. The Lords fined him 500*l*. Six of the Peers they admitted to bail. The seventh, Lord Willoughby of Parham, had escaped beyond sea.²

Feb. 5.
Maynard
refuses to
kneel.

Escape of
Willough-
by of
Parham.

Indepen-
dents and
Presby-
terians
in the
House of
Commons.

In the House of Commons, the Independents preserved their majority with the help of those Presbyterians who had been alienated from the King by his rejection of the Four Bills. To retain their support, the Independent leaders were prepared to assist them

¹ *Relation of the proceedings against Captain Burley*, E. 1,182, 9. For comments on the jury see an account reprinted from a newspaper of the time in Hillier's *Narrative of the Attempted Escapes of Charles I*. Mr. Hillier ascribed some weight to this curious statement with a confidence which will hardly be shared by those who are acquainted with the inventive tendencies of the Royalist pamphleteers.

² *L.J.* ix. 667; x. 9, 23, 33.

in the establishment of their church organisation, provided that nothing was done to imperil their own principle of religious liberty. On January 12, a fresh appeal was made to the counties to establish the Presbyterian system.¹ Though this might conciliate some English Presbyterians, it could not possibly conciliate the Scots, and on January 2, the Scottish commissioners left London for Edinburgh, having lingered for a time to complete their arrangements for a rising in England in coincidence with a Scottish invasion.² Though the details of their plan were unknown to the English Parliament, their general intentions were no longer a secret, and the Houses resolved to send commissioners of their own to Edinburgh to urge the new Parliament, then about to meet, in favour of the English alliance, and to stir up opposition to the Royalist party in Scotland. To hold out a bait to the Scottish leaders, the English commissioners were, on January 29, instructed to offer the payment of an instalment of 100,000*l.* due on February 3 in accordance with the agreement made when the King was surrendered at Newcastle.³

Already another step had been taken to conciliate the English Presbyterians. On January 26 the Commons resolved to take into consideration a Confession of Faith which had been presented to Parliament by the Assembly of Divines, and further directed that all members of their House who had neglected to take the Covenant should at once make good their omission.⁴

Even an understanding between the Independents and the Presbyterians would not in itself be sufficient

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Jan. 12.
The Pres-
byterian
organisa-
tion to be
completed.Jan. 24.
The Scots
commis-
sioners
leave
London.English
commis-
sioners to
be sent.Jan. 29.
Instruc-
tions to
them.Jan. 26.
The Con-
fession of
Faith.¹ *L.J.* ix. 657.² Grignon to Brienne, Jan. 24, Feb. 3, *R.O. Transcripts.*³ *L.J.* x. 7.⁴ *C.J.* v. 443.

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Cromwell
attempts
to sub-
stitute the
Prince of
Wales for
his father.

to ward off the expected invasion from Scotland or to effect a settlement of the constitutional question; and there are good reasons for believing that Cromwell and St. John, in their eagerness to avert war, made an attempt in the second half of January to open negotiations with the Queen and the Prince of Wales, hoping to induce the latter to take his father's place upon the throne.¹ Whether the King was at this time asked to abdicate,² or whether the question

¹ The most direct statement bearing on this affair is that of the Roman correspondent in England. "Si consulta in secreto," he writes, "come si principierà il processo contra il Rè . . . Il processo si farà sopra il morte di suo padre . . . si fingerà di voler dare il corona al Principe, ma si pensa di far Republica." Newsletter, Jan. $\frac{7}{17}$, *Roman Transcripts*, R.O. The omitted words were thrown in as a blind. I take it that the plans here ascribed to the King's enemies impersonally are a jumble of the intentions of different persons; but there may have been some who thought of first dethroning Charles—I do not believe that his death was at this time in question—and of then offering the crown to his son. The statement that a communication with the Prince was intended is corroborated by Grignon, who mentions the existence of a design to send Denbigh to France to fetch him, adding that Denbigh hesitated to go, doubting whether he would be well received. This was written on January 31 (*R.O. Transcripts*). On February 1, one of Lanark's correspondents writes (*Hamilton Papers*, 150) that 'the Earl of Denbigh is to go over with some overtures to her Majesty and the Prince.' On February 15, another correspondent (*Hamilton Papers*, *Addenda*) says that the Earl of Denbigh's going is a fable, but this may merely mean that the plan had by that time been dropped.

² On the question whether there was simultaneously a negotiation with the King, there are several allusions to the existence of some negotiation or another, though nothing definite is said as to its object. "The solicitor," we are told—*i.e.* St. John—"hath made Cromwell his bedfellow, and the army is like them. The treason seems to be awakened and prosecuted against the Lords and Commons by them with all art and violence. . . . Sir H. Vane, Junior, is returned to the Commons House, yet seems unsatisfied, notwithstanding that Cromwell hath bestowed two nights' oratory upon him. Some talk confidently of fresh trinketings with the King, and that Ashburnham is come to London on purpose." (——— ? to Lanark, Feb. 1, *Hamilton Papers*, 148.) Another writer says on the same day (*ib.* 149) that 'it is said Parliament intends new addresses to his Majesty, which I believe,

was reserved till a favourable answer had been received from beyond the sea, it is impossible to say.

In attempting to secure the succession to the Prince of Wales, Cromwell, whose capacity for seeing into the heart of a situation rarely failed him, showed himself alive to the advantage of accompanying a change in the system of government with the least possible shock to the political habits of the nation. His mistake was that he calculated upon others as being as placable as he was himself. Not only did his new policy reawaken the serpents of suspicion which were always coiling round the heart of Marten, but it roused dark thoughts in the heart of him whom he loved to style his brother, the younger Vane.¹ As to the Prince, the suggested understanding with him was hopeless from the first. He had no mind to set himself in opposition to his father; still less to submit to occupy that dependent seat which Cromwell and his friends styled a throne.

That Cromwell would at this time have been glad, not on sentimental but on practical grounds, to re-establish the monarchy in some form or other is rendered the more probable if, as is almost certainly the case, a scene, of which Ludlow has left an account, is to be referred to the latter part of January in this year.² Cromwell, we are told, invited to dinner the because Mr. Ashburnham is in England and will leave no stone unturned to effect any restitution by this army.'

¹ Besides what has been quoted in the last note, there is evidence of the continuance of these suspicions well into February. On Feb. 13, a correspondent writes to Hyde (*Clarendon MSS.* 2,723) that the prevailing party are in great fears and suspicions 'insomuch as Sir H. Vane, junior, hath left them.' In another letter written to Lanark on Feb. 22 (*Hamilton Papers*, 154), we are told that Cromwell desired a meeting with Marten that he might be reconciled with him, but that they parted 'much more enemies than they met.'

² Ludlow's *Memoirs* (ed. 1751), 205-207. The place of this story in the *Memoirs* would put it somewhat later, but the date seems fixed

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Cromwell's
policy in
the matter.

Suspicions
of Marten
and Vane.

Cromwell
hopes for
a general
reconcilia-
tion.

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A conference on
government.

leading members of both parties, hoping to effect a reconciliation between them. This was followed by a conference between 'the grandees of the House and army'—the name by which important personages were beginning to be known—on the one side, and the Republicans or 'Commonwealth's men' on the other. Amongst these latter was Edmund Ludlow, now a member of Parliament, to whose surprise and disgust Cromwell and his friends 'kept themselves in the clouds, and would not declare their judgments either for a monarchical, aristocratical, or democratical government, maintaining that any of them might be good in themselves, or for us, according as Providence should direct us.' The Commonwealth-men, on the contrary, argued at length against monarchy, urging that as the King had broken his oath to govern according to law, his subjects were absolved from their allegiance, and that it was the duty of the representatives of the people to call him to account for the blood shed in consequence of his appeal to the sword.

Cromwell
throws a
cushion at
Ludlow's
head.

The old dispute between the men of theory and the men of practice had thus risen to the surface afresh, and Cromwell, impatient of the letting out of the waters of strife, brought the discussion to a sudden end by flinging a cushion at Ludlow's head and running off downstairs. "But," adds Ludlow triumphantly, "I overtook him with another which made him hasten down faster than he desired."

Cromwell's
reply to
Ludlow.

On the following day Cromwell put his objections to Ludlow's republicanism into articulate language. He was convinced, he said, 'of the desirableness of what was proposed, but not of the feasibility of it.'

by the reference to Cromwell's attempts to reconcile Presbyterians and Independents.

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Intelligible as this view of the case is at the present day, those to whom it was addressed could find no other explanation than the simple one of Cromwell's ingrained hypocrisy; yet if a republic was not feasible, the Republicans were so far in the right that an understanding with Charles was still less feasible; and by the end of January or the beginning of February, Cromwell was convinced—this time too, according to one account, by an intercepted letter from the King to the Queen—that Charles, far from thinking of abdication, was planning fresh attacks on his opponents.¹ Cromwell and his supporters having at last made up their minds struck hard and sharp. On February 2 Hammond was directed to dismiss all of Charles's attendants except thirty,² and on the same day the committee appointed to prepare a declaration in defence of the Vote of No Addresses set itself seriously to perform its work.³

Feb. 1.
He is
convinced
that
Charles
will not
abdicate.

Feb. 2.
The King's
household
reduced.
The com-
mittee for
the De-
claration.

On February 4 the temper now prevailing in the House of Commons received an unexpected illustration. Having under consideration a clause of the Confession of Faith, which declared that 'infidelity or difference in religion' ought 'not to make void the magistrate's just and legal authority, nor free the people from their just obedience to him,' the House resolved, by a significant amendment, that the phrase should run so as to declare that these defects ought 'not to make void the magistrates' just and legal authority, nor free the people from their just obedience

Feb. 4.
A signifi-
cant
amend-
ment.

¹ "Hanno ancora sopra il medesimo soggetto intercetto delle lettere che S. M. scriveva alla Regina sua moglie." Newsletter, Feb. $\frac{4}{14}$, *Roman Transcripts*, R.O.

² *C.J.* v. 452.

³ Newsletter, Feb. $\frac{4}{14}$, *Roman Transcripts*, R.O. The writer speaks of this as beginning the process of the King. I take this to mean what I have stated in the text.

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Feb. 5.
Strick-
land's
mission
to the
Nether-
lands.

to them ;' ¹ thus transferring the right to demand the subjects' obedience from the one magistrate who had hitherto borne the name of King to the many who, under the new form of government which was contemplated, were to take his place. On the 5th Strickland was despatched to the Netherlands to urge the States General to refuse aid to the Prince of Wales ² and to prevent the Queen from pawning her jewels in the territory of the Republic. ³ By this time it was believed in England that the four English regiments in the Dutch service had placed themselves at the disposal of the Prince of Wales, that the English refugees in France would find 4,000 men to add to their numbers, and that the whole force would be transported to Scotland in Dutch vessels. ³

Feb. 5-11.
The Decla-
ration in
the House.Character
of the De-
claration.

From the 5th to the 11th the Declaration upholding the Vote of No Addresses, which was said to have been drawn up by Nathaniel Fiennes, ⁴ was considered in the House, where it was supported by Cromwell with all the energy at his command. Like the Grand Remonstrance it entered into a review of the King's past actions since he came to the crown, in order to maintain that no confidence could be placed in him. Unfortunately even the scandal about Buckingham's administering physic to James was raked up in order to charge Charles with indifference to the supposed murder of his father. The old stories of the ships lent for service against Rochelle, of the intention to introduce German horse, of the new liturgy for Scotland, and of the commission supposed

¹ *C.J.* v. 456. In neither case is the mark of the genitive case put to the word 'Magistrates.' I have added it in conformity with modern usage.

² *Ib.* v. 457 ; Grignon to Brienne, Feb. $\frac{7}{17}$, *R.O. Transcripts*.

³ Newsletter, Feb. $\frac{1}{21}$, *Roman Transcripts, R.O.*

⁴ *Merc. Elencticus*, E. 476, 4.

to have been granted by the King to the Ulster rebels played their part once more. That which told most against Charles, and which his warmest admirers had most difficulty in meeting, was the narrative gathered from intercepted despatches, and amply confirmed in later times, of his constant attempts to introduce into England troops from beyond the sea. There were, for instance, the tales of the money, arms, and ships demanded from Denmark in 1642, of the applications for foreign troops which had been revealed when the King's cabinet was taken at Naseby and when Digby's cabinet was taken at Sherburn, and of the Glamorgan treaty for bringing in an Irish army. Charles had endeavoured to enslave the kingdom by German, Spanish, French, Lorraine, Irish, Danish, and other foreign forces. In spite of this, Parliament had made a final application to him, but this he had rejected. Consequently the Houses would now use their 'utmost endeavours to settle the present government as may best stand with the peace and happiness of this kingdom.'¹

On February 11 the Declaration passed by 80 votes to 50. Cromwell, in the course of the debates, had 'made a severe invective against monarchical government.'² He had even gone so far as to ask that Selden should be expelled from the House merely because he moved for the omission of the charge about James, on the ground that he had himself been a member of the committee which had examined into the alleged poisoning of James I. by Buckingham, and that nothing had been found reflecting upon the King.³

Feb. 11.
The Decla-
ration to
be printed.

¹ *A Declaration of the Commons of England*, E. 427, 9.

² Dr. A. Fraser to Lanark, Feb. 15, *Hamilton Papers*, Appendix.

³ Letter of Intelligence, Feb. 17, *Clarendon MSS.* 2,723. Nicholas, however, thought Selden too much 'restrained by fear' (*Clar. St. P.* ii.

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Cromwell, it seems, was in that fierce temper which with him always denoted the conclusion of a long mental conflict. He had chosen his part, and with rude and unscrupulous thoroughness would sweep aside all who attempted to bar his way.

393) to state his knowledge of the facts. It is more likely that Nicholas should have been misinformed than that the account of Selden's speech given in the text is false.

CHAPTER LIX.

A ROYALIST REACTION.

CHARLES'S persistent refusal to lower his flag would doubtless stand his Cavalier followers in good stead in the future. In the immediate present it exposed them to a persecution from which he might easily have saved them. On none did his rejection of *The Heads of the Proposals* fall more heavily than on his partisans at Oxford. After the attempt made by the Presbyterians in June 1647 to reform the University had been laughed off the stage,¹ week after week was allowed to pass away, without any attempt to uphold the insulted dignity of Parliament against the authorities at Oxford. It was not till August 26, the day on which the Newcastle Propositions were revived at Westminster,² that an additional Ordinance was passed, giving to the Visitors the requisite powers to administer the Covenant and the Negative Oath, to send for books and papers, to imprison those who resisted, and to require the magistrates to assist them in carrying out their orders.

If Parliament had made even a show of taking measures for the immediate enforcement of this Ordinance, it might reasonably be inferred that its previous slackness had been owing to its time being occupied by its struggle with the army. As, however, fresh delays ensued and the Ordinance was not

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June.

Results of
Charles's
rejection of
a compro-
mise.Aug. 26.
An addi-
tional
Ordinance.Further
delay.¹ See p. 141.² See p. 188.

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Sept. 24.
The
Ordinance
sent to
Oxford.

despatched to Oxford for nearly a month, it is necessary to look for an explanation elsewhere; and it is difficult to avoid noticing that it was precisely during the month between the issue of the Ordinance and its transmission to Oxford that Cromwell and the Independents were making fresh efforts to come to terms with the King, and that on September 23, the very day before that on which the Ordinance was at last sent off, the House of Commons, in ordering a final application to be made to him, did so without any hope that it would prove successful.¹

Sept. 29.
A fresh
attempt
to visit.

However this may have been, on September 29 the Visitors, having received their new powers, ordered the Heads of Houses to bring in their books, and the Vice-Chancellor to appear before them. Neither did the Heads of Houses produce their books nor did the Vice-Chancellor answer to the summons. On October 8 the Proctors protested that the Visitation was illegal, on the ground that the King was the sole lawful Visitor of the University. On the 11th the Visitors, overruling this objection, deprived Fell of his Vice-Chancellorship. Resistance, however, did not slacken, and it was seen that the only way in which obedience could be obtained lay in the appointment of a Puritan Vice-Chancellor, who by gathering into his hands the threads of authority within the University organisation would save the necessity of coercing it from without.

Nov. 15.
The Uni-
versity
before the
committee
at West-
minster.

The first step towards the attainment of this object was to meet the legal objections raised against Fell's deprivation. On November 15, Fell and his principal supporters attended at Westminster before the Committee of the two Houses entrusted with the

¹ See p. 202.

supervision of the Visitors. Pembroke, as his manner was in dealing with the weak, overwhelmed them with intemperate abuse, but the majority of the committee, being less unscrupulous, allowed counsel to the defendants and time to prepare their case. The sentence of the committee was, however, a foregone conclusion, and on December 9 those who had resisted the Visitors were pronounced guilty of contempt in defying the authority of Parliament.

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Dec. 9.
Sentence
of con-
tempt.

In their struggle against overwhelming power, the University authorities had the support not only of Selden, by whose advice they were guided in the conduct of their case, but also of Vane and Fiennes. "We find," wrote Fell, "the Independents generally favourable to us, and conceive it hard to press us against our consciences." Whether owing to the opposition of the Independents or not, there was again delay, and it was not till December 28 that the sentence of deprivation from the offices of Vice-Chancellor and Dean of Christchurch was pronounced by the committee against Fell. Other deprivations followed in due course. It might have been expected that Pembroke, in his capacity of Chancellor of the University, would have at once proceeded to impose on it a new Vice-Chancellor. Yet, though the authority of the committee was daily set at naught at Oxford, more than seven weeks were allowed to pass away before any such step was taken.

The Inde-
pendents
support
the defen-
dants.Dec. 28.
Fell
removed
from his
offices.Delay in
making
a new
appoint-
ment.

Possibly the explanation is in part, at least, to be sought in Pembroke's character. As timid as he was blustering, he may well have been anxious in the midst of the struggle over the vote of No Addresses to know to which party victory was about to fall. When at last the Independents got the upper

Probable
causes of
the delay.

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Feb. 18.
Reynolds
to be Vice-
Chancellor.Cromwell
and
Reynolds.Character
of
Reynolds.March 17.
The
Visitation
proceeds.

hand, they can hardly have been eager, at a time when they were scheming for the succession of the Prince of Wales, to close the door to University preferment in the faces of his supporters. It was not till a week after the Declaration in support of the Vote of No Addresses had cut the last bonds between Parliament and the Royal House that, on February 18, at Pembroke's recommendation, Reynolds was appointed by Ordinance of Parliament to the Vice-Chancellorship and the Deanery of Christchurch.¹

It has sometimes been thought, though no evidence exists on the point, that Cromwell had a hand in the selection of Reynolds. In any case it is certain that Reynolds was not only a man after Cromwell's own heart, but that his appointment was the outcome of that policy of conciliating the Presbyterians which now occupied the foreground in Cromwell's mind. A persuasive preacher, who in an age of controversy made it his rule, so far as it was possible, to keep silence on controversial points, Reynolds was marked out by his piety and integrity for a post in which it was so easy to make enemies and so very hard to conciliate opponents. If there was to be a change in the government of the University—and it is difficult to see how such a change could be avoided—Reynolds was the man to conduct it with the least possible amount of friction.

Under the most favourable circumstances, however, the friction would be enormous. On March 17 the Visitors at last commenced their proper work, from which time it went on without open resistance.

¹ *L.J.* x. 62, 63. As in the earlier stages of this affair (see p. 139), I have followed Professor Burrows in his marshalling of the facts brought out in the original evidence. The suggestion of the causes of the delay is, however, mine.

The opponents of Puritanism were swept away and replaced by others more friendly to the ruling powers. One after another, Heads of Houses, Fellows of colleges, and even undergraduates, were called up to answer the crucial question, "Do you submit to the authority of Parliament in this Visitation?" One by one they answered; some absolutely submitting, some attempting by evasive answers to avoid the alternative between material ruin and betrayal of conscience, and others, again, boldly facing consequences and refusing to submit. Only by absolute submission could expulsion be avoided, with all its accompaniments of loss of standing in the world and deprivation of the means of livelihood. Amongst those expelled were a few men of high intellectual renown, such as Saunderson and Hammond, but the greater number were undistinguished in any way, except by the constancy with which they went forth into the wilderness without hope for the future rather than soil their consciences with a lie.

The expulsions.

It was the irony of political necessity that this great act of persecution should be carried out when men like Cromwell and Vane were in the ascendant. It was but a bare six months since the Independent leaders who now permitted some hundreds of sufferers to be excluded for conscience' sake from the University of Oxford, had been striving to lay the foundations of a broad system of toleration in *The Heads of the Proposals*, and had even taken into favourable consideration a scheme for extending that toleration to the Roman Catholic priesthood itself. In January they had made use of their authority in Parliament to liberate a Jesuit who had been for three years in prison, and to commute the sentence of death which had been pronounced upon a priest into one of banish-

Were they avoidable?

ment.¹ Like the successor of the Samian despot who was prevented by the rancour of the citizens from laying down the authority which he had received, and 'wishing to be the justest of men failed in his purpose,'² the Independent leaders were driven back from accomplishing their schemes of toleration by the intolerance alike of their opponents and of their supporters. The stern fact that English opinion was hopelessly divided, and that no sanguine kindness could bring those to live together in peace who had war burning in their hearts, would, in one way or another, force itself on the eyes even of the most blind.

Politics
and
religion.

That which baffled the Independents was the close connection between politics and religion. Those who revered the principles and worship of the English Church, also revered the authority of the King as the basis of constitutional right. Neither they nor Charles himself would yield on either point. The Visitors at Oxford in vain sought to shelve the difficulty by asking, not for definite confession of religious faith, but for a general acknowledgment of the authority of Parliament. They could not separate things, at that time at least, inseparable. It was impossible to accept either King or Parliament as the final authority in political matters without taking into account the ecclesiastical or religious results which in either case might be expected to follow. At Westminster as well as at Oxford those who had striven to restore harmony between the King and his people found their efforts breaking down. The Royalists had at least the letter of the law on their side. On February 14 a Welsh judge, David Jenkins,

¹ Newsletter, Jan. $\frac{1}{2}$, *Roman Transcripts*, R.O.

² *Herodotus*, iii. 142.

having been summoned before the Court of Chancery in a private suit, gave a signal of resistance by denouncing the whole basis of Parliamentary Ordinances upon which all the courts of law now rested. Nothing, he declared, had any legality which did not rest upon the authority of the King. On the 21st, being brought to the bar of the House of Commons, he refused to kneel, and openly defied the House. The Commons in anger passed rapidly a Bill of Attainder against him, and sent it to the Lords for their approval;¹ but it was impossible to ignore the fact that the indomitable Welshman had only spoken in public what thousands were muttering in secret.

The opposition of those who resisted the Parliament and the army on principle was reinforced by the opposition of those who resisted them because their own interests or pleasures were interfered with. What the prohibition of Christmas games was to the apprentices and the farm labourers, the closing of the theatres was to the leisured class amongst the dwellers in London. The original Ordinance against stage plays had been issued at the beginning of the war, and had been grounded on the unsuitableness of such frivolous entertainments in a time of distress.² When the war came to an end this motive could no longer be urged, and plays were again performed though with more or less secrecy. The antagonism of the Puritan spirit to entertainments too often provocative to vice was, however, as decided as before, and on July 17, 1647, the Houses revived the Ordinance of 1642, fixing January 1, 1648, as the date of its expiration.³

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Feb. 14.
Judge
Jenkins in
Chancery,
denounces
the legality
of the
courts.Feb. 21.
Bill of
Attainder
against
him.Stage
plays
revived.1647
July 17.
Order of
the Houses
against
them.¹ *C.J.* v. 469.² See vol. i. p. 17.³ *L.J.* ix. 334; *C.J.* v. 248.

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LIX.

1648

Jan.
Theatres
opened.Feb. 11.
Ordinance
against
stage
plays.Call for a
stable
govern-
ment.General
discontent.

Either intentionally or, as is more probable, from sheer negligence, no measures were taken to prolong the Ordinance before the time of its expiration came round, and in January 1648 the theatres, at once taking advantage of the omission, were crowded with spectators. On January 27 it was reckoned that no less than 120 coaches set down spectators at one theatre alone—the Fortune.¹ On February 11 Parliament responded by a savage Ordinance conceived in the very spirit of Prynne, directing that ‘all stage-galleries, seats, and boxes’ should be destroyed, every actor publicly flogged, and compelled to enter into recognisances ‘never to act or play any plays or interludes any more’ on pain of being dealt with ‘as an incorrigible rogue.’ Moreover, all spectators of a play were to be fined five shillings.²

To the anger of the pleasure-seekers was added the anger of those who were ready to accept any government provided only that it would give proof of stability, and it was this proof that neither Presbyterians nor Independents were able to give. “Some,” wrote a member of the House of Commons, “pray for the Scots; others against them; but whether they come or no, we are in a ready way to be undone; for, without the infinite mercy of God, we shall inevitably run into absolute confusion. The whole kingdom is so full of discontent that I do verily fear it will ere long break out into some disorder.”³

Nor was it only the sense of uncertainty inspired by the proceedings of the Houses which caused dis-

¹ *The Kingdom's Weekly Intelligencer*, E. 423, 23. At the Bull was played Beaumont and Fletcher's "Wit without Money." *Perf. Occurrences*, E. 520, 32.

² *L.J.* x. 41. Headed with the date of Feb. 9, when it was sent from the Commons.

³ Sir R. Burgoyne to Sir R. Verney, Dec. 30, 1647, *Verney MSS.*

content. The Parliament to which Cromwell had been compelled to appeal as the supreme authority in England had neither a consistent policy nor a character for public spirit. It was sufficiently under duress to have lost all self-respect, whilst some at least of its members made use of their high position to advance their private interests. The Royalists took pleasure in drawing up lists of members of either House who had derived pecuniary advantages from the Civil War, and though some of the cases alleged were those of men who had been rewarded for services rendered, there can be little doubt that in many cases the rewards were higher than the services justified, and that in others opportunity was afforded of driving hard bargains at the expense of the State. Many of those, moreover, who had seats in the House of Commons found a ready way of enriching themselves by the sale of the influence which every member of Parliament then possessed.

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1648

Charges
of cor-
ruption.

Once more the correspondence of the Verney family opens before us the living image, if not of the whole of the passions and strivings of the age, at least of those personal grievances and annoyances which never fail to influence its larger issues, but which are apt to pass unnoticed and unrecorded. In January 1646, when Sir Ralph Verney was still anxiously expecting the sequestration of his estates, he suggested to his friend Sir Roger Burgoyne, who was himself a member of Parliament,² that though he was incapacitated by his refusal to take the Covenant from pleading his own cause in England, he might with advantage send his wife as his representative. "Certainly," replied Burgoyne, "it would not do amiss, if she can bring her spirit to a soliciting temper,

1646
The
Verney
family
again.

Sir R.
Verney
proposes
to send
his wife
to plead
for him.

¹ See p. 23.

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1646

Aug. 20.
A letter
of Dr.
Denton.Women
never so
useful as
now.Oct. 14.
Claydon
sequestered.Nov. 24.
Lady
Verney in
England,

and can tell how to use the juice of an onion sometimes to soften their hearts.”¹

It was not, however, till August 1646, that the danger appeared imminent. On the 20th Dr. Denton²—who, though he was Sir Ralph’s uncle, yet, being of much the same age, had been the companion of his childhood and was now the most self-sacrificing of friends—warned him that if Lady Verney was to come to England she must set out without delay. “Not,” he wrote, “to touch upon inconveniences of your coming, women were never so useful as now; and though you should be my agent and solicitor of all the men I know—and therefore much to be preferred in your own cause—yet I am confident, if you were here, you would do as our sages do, instruct your wife and leave her to act it with committees. Their sex entitles them to many privileges, and we find the comfort of them more now than ever. I cannot assure you that she can make up all without your presence, nor you, if you were here neither; but, in my opinion, it is the most probable way can be prescribed or taken.”³ On October 14 the Claydon estate was sequestered by an order from the County Committee of Bucks.⁴

Accordingly Lady Verney hastened the preparations for her journey, and on November 24 she landed at Rye. It would have been difficult to find a more persuasive pleader. Her native sprightliness, which in her youth had gained for her amongst her husband’s friends the nickname of ‘Mischief,’ had been toned down by years of misfortune and ill-

¹ Sir R. Burgoyne to Sir R. Verney, Jan. 15, 1646, *Verney MSS.*

² See p. 78, note 1.

³ Dr. Denton to Sir R. Verney, Aug. 20, 1646, *Verney MSS.*

⁴ Order of the Committee of Bucks, Oct. 14, *ib.*

health. She was now expecting to give birth to another child, and the first days of exertion after her arrival in London brought on a fever. Dr. Denton tended her with rare assiduity, physicked her according to the best rules of his art, and drained away the remaining strength of her enfeebled constitution by copious bleedings. When at last her health temporarily improved, he was as ready with advice and practical aid as he had been with his prescriptions.

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1646

under
medical
treatment.

The first step to be taken towards the removal of the sequestration was to obtain from the Bucks Committee a certificate of the reasons for which Sir Ralph had been adjudged a delinquent, and this the committee refused to give without an order from the Committee of Lords and Commons for Sequestrations, to which in such matters the County Committees were subordinated.

A certi-
ficate from
the County
Committee
needed.

To obtain this order, Lady Verney had been obliged to gain the support of as many influential personages as possible. Mr. Pelham, who afterwards took the chair as Speaker during those ill-starred sittings in which the Presbyterians set the army at defiance, gave her what help and counsel he could, whilst Dr. Denton ran hither and thither amongst the members whose good word it was important to gain. Lady Verney's opinion of lawyers was not a high one. "Lawyers," she wrote in one of those voluminous letters in which she poured out her sorrows to her husband by the weekly post, ". . . are very dear, and I find very little satisfaction from them; for 'tis not law now but favour; but if it be so that our business must be brought into the House of Commons, then indeed it will be necessary to fee most of those lawyers of the House of Commons; but I should be

Personal
influence.

1647
Lawyers
to be
avoided.

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LIX.

1647

The
question
at issue.Feb. 25.
An order
from the
Committee
of Lords
and
Commons.March 11.
Church
customs in
England.

very unwilling to have it come there, because 'tis very tedious and very difficult to come off from them."¹

The legal question at issue soon made itself clear. The mere absence of a member of Parliament from his duties, even when he had given no assistance to the King, had been declared to be delinquency by an order of the House of Commons, but that order had not been confirmed by the House of Lords. The point to be decided was whether delinquency could be created by anything short of an Ordinance of Parliament. On February 25, 1647, the Committee of Lords and Commons took the preliminary step to bring this question to an issue by ordering the Bucks Committee to make a certificate of the causes of Sir Ralph's delinquency.²

The Bucks Committee, however, was not likely to act in a hurry, and Lady Verney was, for the time, in no condition to urge its members on. On March 11 the poor lady wrote to her husband about the christening of her expected child. She would, she said, 'get a minister in the house that will do it the old way; for 'tis not the fashion here to have godfathers or godmothers, but for the father to bring the child to church and answer for it.' Puritans as she and Sir Ralph had been counted before the breaking out of the war, she had no liking for the changes which she now witnessed. "My dear heart," she wrote, "to tell thee how barbarous a place this is would take up more room than this paper; but truly one lives like a heathen in it. Since I have recovered my health, I have gone to our parish church, but could never but one time get any room there for all the money I offered; and either I must be at the charge to hire a

¹ Lady Verney to Sir R. Verney, Jan. 14, *Verney MSS.*

² *Ib.* Feb. 25, 1647, *ib.*

coach to try all the churches, or else sit at home ; and when one gets room one hears a very strange kind of service, and in such a tone that most people do nothing but laugh at it, and everybody that receives ¹ must be examined before by the elders, who they all swear asketh them such questions that would make one blush to relate.”²

In the midst of her troubles Lady Verney pursued not unsuccessfully her task of making friends. Selden, who was a member of the Committee of Sequestrations, assured her of his support, and other members did the same. For Warwick she as yet angled in vain, though in former days, when Lady Warwick was the wife of the Earl of Sussex, Sir Ralph had been on terms of the closest friendship with her, had been the recipient of her confidences on the subject of her portrait by Vandyke, who, as she then complained, had ‘painted her too lean,’ and had matched the materials for her dresses in the London shops.³ To do Lady Warwick justice, however, her power rather than her will was wanting, as she had little influence over her husband. One day, when Lady Verney visited her, Warwick came into the room, but he ‘sat like a clown’ and offered no civility to his wife’s friend.

Members
of the
Committee
of Seques-
trations
gained.

At last, before the end of March, the certificate from the Bucks Committee arrived, acknowledging that Sir Ralph’s delinquency consisted in mere absence from the House. Yet on April 1 Lady Verney still wrote despondingly of the business. “I am sure,” she says, “it is very troublesome and charge-

April
Fresh
delays.

¹ *i.e.* the Communion.

² Lady Verney to Sir R. Verney, March 11, 1647, *Verney MSS.*

³ A small piece of blue damask sent for this purpose is still to be seen in one of the lady’s letters preserved at Claydon.

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able, and I fear will prove a great deal more tedious than we did expect; we have the certificate; I have given it to Sir Gilbert Gerard with your letter. He hath promised me to do you all the service he can, and so hath many others; but I doubt they will do but little when they come to it. I have also been with Mr. Pelham, who was very civil, and told me he would be ready to do me any service; but they tell me they believe it must be referred to the House before I can come off clear, which torments me to think of; for, if it must come there, it will cost us a great deal of money by the tediousness and delays that I know we shall find there; it costs me now five and six shillings in a morning in coach hire those times that I have gone about it, and one may wait two or three hours and speak with none of them.”¹

April 16.
The House
must be
consulted.

At last, on April 16, the Committee of Sequestrations had Sir Ralph's case before it, only to find that it was forbidden by an order of March 23 to meddle with cases of members of Parliament without special order from the House.² Fresh delay was inevitable. “My dear,” wrote Lady Verney, “I will not tell thee what a trouble 'tis to make friends, for, truly, they all expect more waiting upon than ever the King did, and will give many promises and perform nothing.”³

June 2.
Lady
Verney
and her
baby.

It was no good time to expect attention. By this time the Houses were involved in the dispute with the army. On June 2, before anything had been done in her husband's affair, Lady Verney was delivered of a son.⁴ In those days it was not customary for

¹ Lady Verney to Sir R. Verney, April 1, *Verney MSS.*

² *C.J.* v. 120. Dr. Denton to Sir R. Verney, April 21, *ib.*

³ Lady Verney to Sir R. Verney, April 22, *ib.*

⁴ Dr. Denton to Sir R. Verney, June 3, *ib.* Lady Verney's postscript is: “This is only to let you know that I thank God I have a

ladies to suckle their own children, or even to keep them with them after they were a month old. A young married woman at Claydon was therefore provided as a wet nurse,¹ and at the end of a month from his birth the little Ralph—as his mother had named him in spite of her husband's remonstrances—was removed to Claydon. One of his aunts took him in a coach to St. Albans, after which he was put on a horse in front of his nurse's husband, being tied on to the rider with a garter. It is no wonder that the infant did not survive for many months.

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When Lady Verney began slowly to recover strength, the struggle between Parliament and army was passing into an acute stage. "I hope," she wrote on June 24, the day on which the army's demand for the suspension of the eleven members reached Westminster,² "your friend³ will not any longer count it a misfortune that he was turned out of the House; for I assure you now 'tis the greatest honour that can be to any man to be one of the first chosen members turned out by these old ones. You cannot possibly imagine the change without you saw it. They are grown so humble that Frank Drake⁴ hath visited me oftener within this fortnight than ever he did since I came over."⁵

June 24.
Political
changes.

Week after week passed away and Lady Verney's petition remained unheard. Till Parliament and

Long
delays

great boy, and wish myself and boy with thee. I can say no more now."

¹ A nurse at that time meant a wet nurse; a nurse in the modern sense was called a nurse-keeper.

² See p. 128.

³ *i.e.* yourself, 'your friend' being written to conceal the name of Sir Ralph in case of the letter being opened on the way. The letters themselves are always addressed to Mr. Ralph Smith.

⁴ Member for Amersham.

⁵ Lady Verney to Sir R. Verney, June 24, *Verney MSS.*

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army had made up their differences, no one in Parliament had time to remedy a private grievance, however urgent. "I wish," wrote Burgoyne sarcastically at the end of August, when the Presbyterian party had been entirely overthrown, "that my friend's petition were put into the hands of some godly man in the House; and then without doubt it will be accompanied with a blessed success. I wish that either Fiennes, Vane, or some such worthy patriot would undertake it."¹

Sept. 29.
Dr.
Denton's
advice.

It was not till the end of September that Dr. Denton advised Sir Ralph of his purpose to prepare the ground for the presentation of the petition. Whatever means he took to gain interest, he must have recourse to 'the old way of England—money.' Hope seemed almost at an end. "Truly," wrote Lady Verney to her husband on October 3, "as the case now stands, I apprehend your estate to be in so sad a condition that I cannot see any assurance of subsisting two years to an end. For my part I do not understand anything of the law, therefore I leave it to thee in hope thou wilt think of some way or other that we may be sure of something for ourselves and babies; but, my dear, I do not distrust, for I am confident God hath so great a blessing for us in store that He will not suffer us to starve, and I thank God I can be content to live with very little so I have but thy company."²

Oct. 3.
Lady
Verney
almost
despairs.

Oct.
Lady
Verney
returns to
town.

In October Lady Verney returned to town after a long absence in pursuit of health. By that time Parliament had again settled to business, but she had little hope of a favourable answer to her petition. "Now I am here," she wrote on November 11, "I

¹ Burgoyne to Sir R. Verney, Aug. 30, *Verney MSS.*

² Lady Verney to Sir R. Verney, Oct. 3, *ib.*

cannot imagine what course to take ; for everybody tells me that there is no hopes of doing anything in the House of Commons but by bribery, and where I shall get money I vow I know not." "As for the petition," wrote Dr. Denton on the same day, "I delivered it yesterday into a good hand, and I have promised him 40*l.*, and he will give me an account very shortly of it."¹ "I can give you," he again wrote to Sir Ralph on November 14, "no further account of your petition than I did in my last, only, if other counsels alter not, I do think to make my way to the Speaker by feeing his sister-in-law my cousin,² and I am told it is the best way I can take. I intend to-morrow to feel her pulse ; I intend to offer her 50*l.* if within such a time she will get the prayer of my petition granted."³

It was perhaps from confidence in the efficacy of these means that, in writing on November 25, Lady Verney expressed herself more hopefully than she had done as yet. In a few days, she thought, the House would refer her petition to the Committee of Sequestrations. "Then," she added, "I doubt not but we shall quickly despatch it there ; but this will cost us money." There was weary waiting still, but at last, on December 17, the order of reference was obtained.⁴

The next struggle would be in the committee. Lord Say, who was an influential member of it, was Dr. Denton's uncle, and was secured beforehand. Lady Verney put forth all her energy to gain Warwick through his wife. Lady Warwick, though always

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1647

Nov. 11.
Prevalence
of bribery.

Nov. 14.

Nov. 25.
Lady
Verney
more
hopefulDec. 17.
The
reference
to the
committee.
Committee
men to be
gained.

¹ Lady Verney to Sir R. Verney, Nov. 11 ; Dr. Denton to Sir R. Verney, Nov. 11, *Verney MSS.*

² The wife of Sir John Lenthall, the Speaker's brother. For an earlier charge brought against the two Lenthalls, see vol. ii. p. 309. The Speaker's indirect gains are reckoned by a hostile witness at 20,000*l.* a year.

³ Dr. Denton to Sir R. Verney, Nov. 14, *Verney MSS.*

⁴ *Ib.* Dec. 20, *ib.*

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1647

1648
Jan. 5.
The case
before the
commit-
tee.Lady
Verney
trium-
phant.

polite, gave but little hope. At last Lady Verney's persistence was requited. "Lady Warwick," she wrote, "hath at last in some measure played her part; but I put her soundly to it, for I have been four or five times with her this week." On January 5, 1648, the case was before the committee. Warwick had yielded to his wife's persuasions, and not only attended in person but brought others with him, and the decision was given in favour of withdrawing the sequestration.

Lady Verney was thus at last triumphant, happy in having gained her husband's cause and still more happy in the prospect of speedily returning to him. The doctor's kindness, she declared, had been beyond expression. "Truly," she wrote, "I think he was more concerned than if it had been for himself. I wish we were able to give him 40*l.*, for truly he hath deserved it; but we must give his wife something too, and I think we cannot give her less than the value of 5*l.* in some stuff for a petticoat or the like; for truly she hath been kind so beyond expression, and hath often made dinners for my occasions; for every Committee day she hath always had the Parliament men there, that they might go along with us to the Committee; and that all went out of her purse, and besides she is mighty kind to me. Truly this business hath cost me very dear, and I vow I know not which way I shall get up money enough to defray the charge. To-morrow I must make a dinner for them all; for indeed we are very much obliged to very many; and I have no other way to return them thanks. We must give Mr. Pelham some piece of plate unto the value of eight or ten pounds; for he hath done us service unto the very last; and being our business hath succeeded well, we must present him; and now, my dear Rogue, I must needs tell thee that the

contentment this hath putt into me is beyond expression; and I trust in God, I shall be with thee at my appointed time.”¹

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1648

The corruption and favouritism which prevailed amongst members of Parliament was probably no worse than that which had stained the Court of James or Charles, but their misconduct was more deeply resented. Habit counts for much, and men who had bribed courtiers without a murmur took it amiss when they were asked to pay for the services of a member of the House of Commons. It was monstrous, it was said, that members of Parliament should grow rich whilst other men were growing poor. Expenditure in London society was on the increase. “As long as I have lived in London,” wrote Lady Verney to her husband in the spring of 1647, “I never in my life saw half that bravery amongst all sorts of people as is now. Truly I think they have a greater vanity for clothes and coaches than I think was ever in the world. There are those that make every week or fortnight a new gown. I am much wondered at for being so much altered in my humour, but to tell thee the truth, without thou wert here, I care not to trick up myself; and, besides, I tell them I have no bye-ways to get money, which many of them have.”²

Increase of
private ex-
penditure.

Amongst those who were charged with making their fortune and the fortune of their families was Cromwell himself. In the army—to omit more distant relatives—Ireton was his son-in-law, Desborough his brother-in-law, Whalley his first cousin, and Robert Hammond the husband of his first cousin once removed.³ In 1646, Parliament had voted him

Charges
against
Cromwell.

¹ Lady Verney to Sir R. Verney, Jan. 6, *Verney MSS.*

² Lady Verney to Sir R. Verney, May 6, 1647, *ib.*

³ The whole of the Cromwell kindred are dealt with in an article by Mr. Weyman in the *Eng. Hist. Rev.* for January 1891.

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March 7.
Grant of
lands to
him.

a gift of lands out of the confiscated estates of the Marquis of Worcester to the value of 2,500*l.* a year. The intention of Parliament was, however, only partially carried out at the time, and on March 7, 1648, an Ordinance was passed to make good the deficiency, by adding land valued at 1,680*l.* a year to complete the contemplated grant.

Of all this Cromwell's opponents made full use, asserting, though without offering a shadow of proof, that the land which thus came into Cromwell's possession was in reality much more valuable than it was alleged to be. They omitted to say that the officers of his kindred were amongst the most efficient in the army. Nor did they ever hint that he was at all times ready to make personal sacrifices on behalf of the nation which he served. Yet it appears from a list of military salaries accepted by Parliament on February 19, that Cromwell's pay was then reduced from 4*l.* to 3*l.* a day,¹ and on March 21 he further offered to give 'for the service of Ireland' 1,000*l.* a year for five years, and to abandon the arrears owing to him which at that time stood at 1,500*l.*² These three abatements, taken together, amounted within 75*l.* to the income which would accrue to him during the ensuing five years from the lands which had been granted to him a month before.³

Feb. 19.
Reduction
of his pay.March 21.
A muni-
ficent offer.

¹ *C.J.* v. 460; *L.J.* x. 66. There is no direct evidence of Cromwell's consent to the abatement; but if it had been against his will he would hardly have made the free offer a month later. The abatement was not a general one.

² The free offer is printed by Carlyle after Letter LIV.

					£
³	Arrears abandoned	.	.	.	1,500
	Five years' offer	.	.	.	5,000
	Five years' abatement of pay	.	.	.	1,825
					<u>£8,325</u>

Five years' income at 1,680*l.* is 8,400*l.*

To the general causes of dissatisfaction with the existing government must be added special causes of dissatisfaction with the Independents. It is true that moderate men often spoke of the Independents strictly so called without acerbity. "The Independents," wrote Dr. Denton, for instance, in answer to enquiry from Sir Ralph Verney as to their tenets, "have no liturgy as I know of, nor the Scotch a directory. They both do marry, christen, pray extempore, bury, and administer the sacraments alike, both of them without ceremonies of cross or rings, and administer the sacrament to all indifferently, whether they sit, kneel, or stand. The right Independents—*rectius* Congregationals—will not willingly administer the sacrament to a mixed congregation; therefore they of their own congregation come to it with tickets; others not of their own congregation, upon recommendation of some of their own congregation, may obtain tickets and receive amongst them. I perceive your humour for Independent books: it jumps with mine, and I shall provide for you as for myself."¹ It was the political teaching of the Independents which did most to raise hostility against them, and that too on those points on which posterity assigns to them the largest share of credit, their democratic tendency, and their doctrine of toleration.

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LIX.
1648
The Independents
as a
religious
body.

The democratic principles to which the Independent leaders had given voice were, in truth, as effectual in welding together Cavaliers and Presbyterians as were the principles of the French Revolutionists in welding together the Tories and the aristocratic Whigs in 1793 and 1794. To the country gentlemen and the traders who had formed

Effect of
their demo-
cratic
principles,

¹ Dr. Denton to Sir R. Verney, Oct. 6, 1647, *Verney MSS.*

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1648

the main basis of the Tudor monarchy, but of late had been divided by political and religious differences, the *Agreement of the People* was all that the Social Contract was to the men of the eighteenth century. If Charles had been as capable as Pitt of placing himself at the head of a coalition, the Independents, in spite of their hold upon the army, would hardly have succeeded in maintaining themselves in power.

and of
their
doctrine of
toleration.

Equally obnoxious to the governing classes was the persistence with which the Independents clung to the idea of toleration. No doubt they did not entirely agree as to the extent to which toleration was to be carried. Some like Lilburne and Marten held that it should be unlimited. Others like Cromwell thought that it should be confined to such opinions as were not dangerous to the state. All however were of one mind in holding that no religious belief or worship ought to be proscribed simply because it was ridiculous in the eyes of educated men.

1646
*Gan-
græna*;
its list of
heresies.

When in 1646 Thomas Edwards, a Presbyterian minister, published a venomous attack on toleration under the title of "*Gangræna*," he was able to set forth a long list of heresies, some of which were harmless enough, though others cut deep into the very foundations of morality. Truly or falsely he asserted that there were persons living who argued that 'tis as lawful to commit adultery and murder as to baptise a child; that 'tis lawful for one man to have two wives at once; whilst others again held opinions which imperilled existing institutions, as 'that children are not bound to obey their parents at all, if they be ungodly,' and 'that 'tis unlawful for Christians to fight and take up arms for their

laws and civil liberties.’¹ Others again, according to a list published in March 1648, held ‘that the soul of man is mortal as of a beast; that in marriage there are no degrees forbidden, a man may marry his sister or his father’s wife;’ ‘that if a man be strongly moved to kill, commit adultery, &c., and upon praying against it again and again it continues, he should then do it.’²

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No sober Independent, it is true, had any wish to protect teaching of this kind, the outcome of unlimited discussion amongst the ignorant class to whom the Bible had been thrown as a book in which every single word was of divine revelation, though every reader was capable of giving to every statement in it a meaning after his own fancy, not only apart from the context, but also apart from the reconciling influence of centuries of human thought. It was, however, but natural that the Independents should bear the blame of all extravagancies. This, it was argued, was the unavoidable result of freedom of religion. Only in restricting the teaching of religion to an educated clergy could a remedy be found. It was probably fortunate for the tender plant of liberty that two rival clerical bodies claimed the power of restriction each in their own interest. Between the two, that liberty of speech and thought without which national and ecclesiastical life stagnate, might at last obtain permission to exist.

The Independents
blamed

¹ *Gangræna*, E. 323, 2.

² *A true and perfect Picture of our present Reformation*, E. 430,

CHAPTER LX.

A GATHERING STORM.

CHAP.
LX.

1648

Plot for
the escape
of the
Duke of
York.

Feb. 22.

An inter-
cepted
letter from
Boswell.Dutch and
Irish
invasions
threatened.

TOWARDS the end of February, the danger which had driven Cromwell to look for a means of escape from his difficulties in the substitution of the Prince of Wales for his father, grew every day more imminent. The discovery of a plot for the evasion of the Duke of York was ominous of a coming storm. The boy, on being questioned, engaged his honour to have no more to do with 'such businesses,' and the Houses could but accept his word.¹

The outlook appeared the more dangerous as the Independent leaders had lately gained information through an intercepted letter written by Boswell, the King's agent at the Hague, how wide-spreading were the ramifications of the King's designs against them. "I have," wrote Boswell to Charles, "perfected my negotiations with Prince William;² and if the peace between Spain and the States be declared, which is confidently said here, he will certainly land a gallant army for your relief; and I hope you shall have the Irish army and this meet most successfully. Therefore, as you tender the good of you and yours, be constant to your grounds. If your Majesty make laws to strengthen their usurped power, or part with the Church lands, there can be no hope to restore you, and your posterity will be for ever undone."³

¹ *L.J.* 76, 77.² *I.e.* the new Prince of Orange.³ 'Undone' is conjecturally supplied.

All that I or any of your faithfulest servants can say to you is to beg constancy from you.”¹

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The knowledge of this despatch was sufficient in itself to convince Cromwell and his allies that they must do everything in their power to smooth away asperities between Parliament and army. Difficulties had already arisen in disbanding the supernumeraries, especially as the Houses, after insisting on their dismissal,² had refused to pay more than a part of their arrears in ready money. Fairfax, to set an example of obedience, disbanded his own life-guard as unnecessary in time of peace, and in spite of a mutiny, in which the colours were carried off and hidden, succeeded in effecting his object.³ On March 2, however, serious news reached London. It appeared that on February 22 Colonel Poyer, the Governor of Pembroke Castle, had refused to deliver up his charge to Adjutant-General Fleming, who had been sent by Fairfax to take it over. Poyer's plea was that he simply held out till his arrears were paid,⁴ but, as Wales was strongly anti-puritanical, a military mutiny might easily develope into popular resistance. The danger was the greater because Laugharne's soldiers, though still in the service of Parliament, were under sentence of disbandment as supernumeraries, and if they followed Poyer's example could hardly be suppressed without the employment of a strong military force. For the present the Houses

The dis-
bandment
of supernu-
meraries.

Feb. 22.
Poyer's
resistance
at Pem-
broke.

¹ The Agent at the Hague to the King, Feb., Deciphers, *Bodl. Lib. Mus.* 203. Dr. Wallis, who deciphered this despatch, says that he deciphered all the intercepted letters of the time.

² See p. 280.

³ *Rushw.* vii. 1,009.

⁴ Poyer to Fleming, Feb. 22, *Tanner MSS.* lviii. fol. 721. Carlyle has fixed upon Poyer the nickname of 'drunken Poyer.' See *Rushw.* vii. 1,033 and *A Declaration of divers Gentlemen*, E. 436, 7. On the other hand personal attacks in pamphlets are not always to be trusted.

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March 3.
Poyer
ordered to
submit.Cromwell's
illness.

met the apprehended danger with words alone. On March 3, they passed an Ordinance declaring Poyer and his adherents traitors if they did not at once submit.¹

Cromwell, to whom all eyes turned whenever a soldier's brain and arm were needed, was at this time so seriously ill that recovery appeared hopeless. On March 7, however, he was convalescent. "I find," he then wrote to Fairfax, "this only to be good—to love the Lord and His poor despised people; to do for them, and to be ready to suffer with them; and he that is found worthy of this hath obtained great favour from the Lord." Lilburne's democratic ideal was not Cromwell's, nor did Cromwell imagine it to be his duty to follow in the wake of a Royalist majority. Yet he knew that it would be wise to conciliate that Royalist majority if it could be done without injury to higher interests, and after his recovery, as before his illness, he was ready to lend an ear to any scheme for averting a fresh outbreak of war. As far as can be gathered from imperfect evidence, the proposal to place the Prince of Wales on the throne which had been dropped in January was revived towards the end of February.

Feb.
Revival
of the
scheme for
placing
the Prince
of Wales
on the
throne.

"We hear," wrote an Independent on February 28, "that there is an underhand treaty with his Majesty endeavoured by that godly and religious gentleman, Lieutenant-General Cromwell, which we hope will take some good effect; for though we have very much provoked the King, yet we had rather trust him than the rigid Presbyterian yoke which will prove to our party a most antichristian bondage."² A Royalist writer shows a few days later what the nature of the overture was. "Shortly," he

March.

¹ *L.J.* x. 89.

² *Clarendon MSS.* 2,734.

writes, "the design of the Prince of Wales's crowning in case there be a necessity that monarchical government must continue, is freshly thought upon."¹ It is even possible that the overture here referred to originated, not with the Independents, but with some of the Royalist clergy and laity, who were impatient of Charles's absolute refusal to take part in any satisfactory compromise.²

Such overtures could not but end in failure. Meanwhile they merely served to increase the exasperation of the Republicans. "Mr. Marten," wrote one of Lanark's agents on March 14, "notwithstanding all his severe speeches and writings against the Scots' affairs, sent a great confidant of his to Commissary Copley,³ entreating him to use his best endeavours to reconcile him to Scotland, and that he and his party which would appear for monarchy might be received into that of the Lords;⁴ and that there was⁵ nothing which they would not do to destroy Cromwell and his party, who was the falsest of mankind; and if Scotland would give him assurance and countenance his actions in Parliament, he doubted not but he should defeat Cromwell and his party, assuring withal that he had four regiments at his service: and, indeed, that party is at this time very mutinous, and expects a fair opportunity to decline Cromwell's commands, hearing Fairfax and Crom-

An offer
from
Marten
to the
Scots.

¹ Bamfield (?) to Lanark, March, *Hamilton Papers, Addenda*.

² "Mr. Ashburnham and the clergy of England are joined with all their power to make some reconciliation between the King and army." Mungo Murray to Lanark, March 25, probably $\frac{1}{2}$ 5, *ib*.

³ Copley was a Presbyterian.

⁴ I suppose this means the party amongst the Lords which was supporting the King.

⁵ 'There was' is not in the MS., the greater part of which is in cipher.

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No chance
of an
under-
standing
between
Cromwell
and the
Royalists.Jan. 24.
Arrange-
ments for
a rising in
England.Feb. 15.
Lauder-
dale's
harangue.

well's resolution is to despatch the chief heads and abettors of that party."¹

It is unnecessary to take Marten's overture too seriously, but it is certain that he was right in his belief that the bulk of the Royalists had no thought of coming to an understanding with Cromwell. For some time their leaders had been bent on war. When the Scots Commissioners left London on January 24,² they had already made arrangements for a rising in England. Kent and the Eastern Association were to take arms at a given signal. Already, on the 15th, the Queen had despatched Sir William Fleming to Amsterdam to pawn her jewels and to buy arms for the equipment of the insurgents. At the same time it was decided that the Prince of Wales should remove to Calais, to be ready for any event.³

On their return to Edinburgh, the Scottish Commissioners left no stone unturned to rouse the nation in favour of the King. On February 15, Lauderdale, in an harangue to the Committee of Estates, sought to stir up the animosity of his audience against the English Parliament. There were, he said, four things which the English were unable to endure—the Covenant, Presbytery, monarchical government, and

¹ ——— ? to Lanark, March 14, *Hamilton Papers, Addenda*. According to *Westminster Projects*, published on March 23, E. 433, 15, Cromwell asked Marten to join him in purging the House, but Marten, fearing to play into his hands, refused to do so. The authority is not very good, but it is just possible that after his last hopes of getting the King to abdicate were at an end, Cromwell was alarmed at the prospect of marching against the enemy, leaving in his rear a hostile House of Commons, as it might easily become, should the Presbyterian absentees return to their places in the absence of the army.

² See p. 293.

³ Grignon to Brienne, ^{Jan. 24}/_{Feb. 3}, *R.O. Transcripts*; Mungo Murray to Lanark, Jan. 17, *Hamilton Papers, Addenda*.

the Scots. All Hamilton's party were in favour of war, and on the 16th, when the clergy petitioned that no forward step might be taken without their knowledge, one of its members declared that Scotland would come to regret the overthrow of the bishops now that the clergy took on themselves to interfere in civil affairs. As, however, Argyle supported the request of the clergy, the promise demanded was given.¹

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Feb. 16.
A clerical
petition
for peace.

The words which had been spoken in the Committee of Estates were of no light significance. They intimated that the old alliance between the Scottish nobility and the Crown, which had supported James VI. in his struggle with the Presbyterian clergy, had been re-constituted under Hamilton. Most of the nobles who had deserted Charles to oppose Episcopacy in 1637 gave him their support because they wished to humble the Presbyterian clergy in Scotland, though they deceptively posed as the advocates of Presbyterianism in England.

Scottish
parties.

On March 2 a new triennial Parliament met at Edinburgh. The representatives of the shires and boroughs were about equally divided between Argyle and Hamilton—or in other words, between peace and war.² A large majority of the nobles, however, sided with Hamilton, and this was, in a single House, decisive.³ As far as Parliamentary action went, Hamilton could do what he chose. It was a great blow to Argyle, who had hitherto held the representative part of Parliament in the hollow of his hands, and he and his partisans, truly or falsely, explained

March 2.
Meeting
of the
Scottish
Parliament.

A
Hamilton
majority.

¹ Montreuil to Mazarin, $\frac{\text{Feb. 22}}{\text{March 3}}$, *Arch. des Aff. Étrangères*, lvi. fol. 308.

² *Baillie*, iii. 35. Compare Montreuil's despatches.

³ The Parliament contained fifty-six lords, forty-seven representatives of shires, and forty-eight representatives of boroughs. *Acts of Parl. of Scotl.* VI. ii. 1.

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Argyle
supported
by the
clergy.Hamilton
hesitatesLangdale
in Edin-
burgh.Violence
of the
ministers.They and
Argyle
said to
have been
bribed.

their defeat by alleging that the shifting of the balance at the elections was due not to a change of opinion in the constituencies but to pressure put upon them by the nobility.¹ Whether this was the case or not, the clergy still regarded Argyle as their leader, and the influence of the clergy was of no slight weight in Scotland.

The knowledge that the victory was less complete than it seemed gave Hamilton pause. Hesitating by nature, and always reluctant to embark on decisive action, he was hardly the man to cut the knot by promptly availing himself of his supremacy in Parliament to push on the invasion of England to an immediate issue. Before the end of February his supporters, Loudoun, Lanark, and Lauderdale, were urging Charles to satisfy the clergy by yielding more than he had hitherto done on the subject of religion, whilst other members of the party were taking steps which made war unavoidable. Sir Marmaduke Langdale had recently arrived in Edinburgh, and it was perhaps in compliance with his suggestions that it was agreed that the first step should be the seizure of Berwick and Carlisle.²

The ministers had for some time been denouncing from their pulpits all who proposed to make war in favour of a King who rejected the Covenant. Rumours were indeed in circulation that the ministers had been bribed by the English Commissioners.³ Argyle also was said to have been influenced by offers of money, and he certainly had a pecuniary interest in maintaining

¹ See Ross's letter in *A Declaration of the Kirk*, E. 432, 10.

² Lanark, Loudoun, and Lauderdale to the King, *Burnet*, vi. 7. The letter is undated, but it is shown by internal evidence to have been written between Feb. 15 and March 1.

³ Montreuil to Mazarin, ^{Feb. 22} _{March 3}, *Arch. des Aff. Étrangères*, lvi. fol. 308.

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peace, as 10,000*l.* out of the next money payable by England to Scotland was engaged to wipe out a debt owing to him by the Scottish Government. So far as the ministers were concerned, the supposition that they needed money to stir them to denounce a King who was attempting to advance the interests of Episcopacy with the help of a Scottish army is entirely gratuitous, whilst Argyle's political position was too obviously at stake to make it necessary to seek further explanation of his opposition to his rivals, the Hamiltons. Hereditary bonds had at that time a far greater hold upon Scotchmen than they had upon Englishmen, and before long Loudoun, who was also a Campbell, shifted his ground, and was found once more acting in co-operation with the head of his family.¹

Loudoun
goes over
to Argyle.

In the General Assembly the lay-elders ranged themselves with Hamilton as the noblemen had ranged themselves with James at the Assembly of Perth.² With the exception of four, of whom Argyle was one, every lay-elder in the Assembly voted against the publication of a manifesto which had been drawn up by the ministers.³ The ministers, however, commanded a majority, and the manifesto was sent to the press, though on March 11, in consequence of a strong protest from Parliament, the ministers agreed to refrain from issuing it, at least for a time.⁴

The lay-
elders
in the
Assembly.A clerical
manifesto.March 11.
It is to be
kept back
for a time.

The clerical manifesto was not indeed drawn up in favour of peace in the abstract. The ministers were as ready as the nobles to go to war against the Independent army; though they objected to assist Charles until he not only took the Covenant himself, but pro-

¹ *Burnet*, vi. 8.² *Hist. of Engl.* 1603-1642, iii. 237.³ Montreuil to Mazarin, March 18, *Arch. des Aff. Étrangères*, lvi. fol. 321.⁴ *Acts of Parl. of Scotl.* VI. ii. 12.

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vided for its imposition on his subjects. They also insisted that all Malignants—that is to say all persons hostile to the Covenant—should be excluded from the Royalist forces about to be raised in England.¹ Whatever may be thought of the narrow ecclesiasticism of these Scottish ministers, it must be admitted that they saw clearly that if Presbyterianism was indeed to be established in England, it would not be in consequence of the concessions which had satisfied the Hamiltons.

March 13.
An interrupted
duel.

Every day the conflict between the Scottish factions grew more bitter. On March 13, a projected duel between Argyle and Hamilton's brother-in-law, the Earl of Crawford and Lindsay, was only stopped by the intervention of friends. In the midst of these distractions, the warlike preparations made slow but steady progress. On the 17th, a Committee of Dangers which had been appointed a week before, brought into Parliament a report, on the strength of which a second committee was named to concert measures in secret for seizing upon Berwick and Carlisle.² Rather than consent, Argyle left the Parliament House, followed by eleven lords and some thirty representative members. Hamilton was fain to call the seceders back. 'Though,' he candidly admitted, 'he had more power in Parliament than they had, yet they had the greater power in the kingdom.'³ Much valuable time was lost in attempting to produce a union which was in reality unattainable.

March 17.
Report
from the
Committee
of Dangers.

Argyle
leaves the
House,
but is
brought
back.

The
English
exiles at
Edin-
burgh.

The Scottish Parliament and nation were drifting into war. The English exiles, eager to arouse the sluggishness of their new allies, gathered in ever-

¹ *Baillie*, iii. 33.

² *Acts of Parl. of Scotl.* VI. ii. 13.

³ Montreuil to Mazarin, March 31, *Arch. des Aff. Étrangères*, lvi. fol. 332.

increasing numbers at Edinburgh. Langdale was joined by Glemham and by a certain Captain Wogan, who arrived with a body of 200 horse which had been threatened with disbandment by Fairfax. The English commissioners in Edinburgh in vain demanded his surrender as a deserter. It was impossible that this state of uncertainty should long continue. It seemed as if matters had reached a crisis, when on March 23, Sir William Fleming arrived, and declared that the Prince of Wales was willing to come to Scotland if only he could rely on the Scots being ready to take arms in his behalf.¹

In England, if writers of Royalist newsletters are to be believed, whole districts were ripe for revolt. The principal persons in Staffordshire and Warwickshire had formed a design for the seizure of Warwick Castle. Nottingham and Oxford were also to be surprised. Lancashire, Cheshire, and North Wales would declare for the King as soon as the Scots crossed the Border. In Essex too there was to be a rising, and a fortress, probably Landguard Fort, was to be seized.²

With such hopes, it was all-important to the Royalists that Charles should be once more free to take the field in person. For some time there had been a plot on hand for his delivery, on the understanding that when he was again at large he was to make his way to Scotland.³ The soul of this plot was Henry Fire-

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March 23.
The Prince
offers to
come to
Scotland.

Spread of
a warlike
feeling in
England.

Plot for
the King's
escape.

Henry
Firebrace.

¹ Letters from the Commissioners in Scotland, March 7, 21, 28, *L.J.* x. 111, 127, 172; *Packets of letters*, E. 434, 25; Montreuil to Mazarin, ^{March 28}_{April 7}, *Arch. des Aff. Étrangères*, lvi. fol. 343; Mungo Murray to Lanark, March 25, *Hamilton Papers, Addenda*.

² ——— ? to Lanark, March 7; Byron to Lanark, March 10, *Hamilton Papers*, 166.

³ "I doubt not, if the design fail not, he will make his escape and be with you before you can hope it, so well have I ordered the business as nothing but himself can let it." Firebrace (?) to Lanark, March 7, *Hamilton Papers, Addenda*.

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brace, who, having been in Charles's service as a page, was allowed to remain in attendance upon his old master. Firebrace had arranged for the conveyance of the secret correspondence, which continued to pass between Charles and his friends outside the walls of his prison, and he now, in combination with Mr. Worsley, of Appuldercombe, and Mr. Newland of Newport, and Richard Osborne, one of the King's attendants, was completing the preparations for his escape.

Feb. 7.
Rumours
of a design.

However secret the conspirators might be they could not altogether veil their designs from the eyes of those whose interest it was to penetrate beneath the surface. As early as February 7, the Derby House Committee had information of a plan for breaking into the King's chamber from the floor above him, and of thus conveying him away through rooms in which there were no guards.¹ Later, on March 13, the committee had vague information of another plan which appears to have originated with Firebrace,² and their imperfect knowledge led them to direct Hammond to find out the secret by every means in his power.

An attempt was accordingly made by Hammond to secure farther evidence by seizing on the King's papers; but it came to nothing, as Charles succeeded in thrusting the incriminating documents into the fire. It is possible that there was a scuffle, though the story which obtained currency amongst the Royalists that Hammond struck the King may fairly be set down as a pure invention.³

Firebrace's
plan.

According to Firebrace's plan, the night fixed for Charles's escape was March 20, when he was to slip

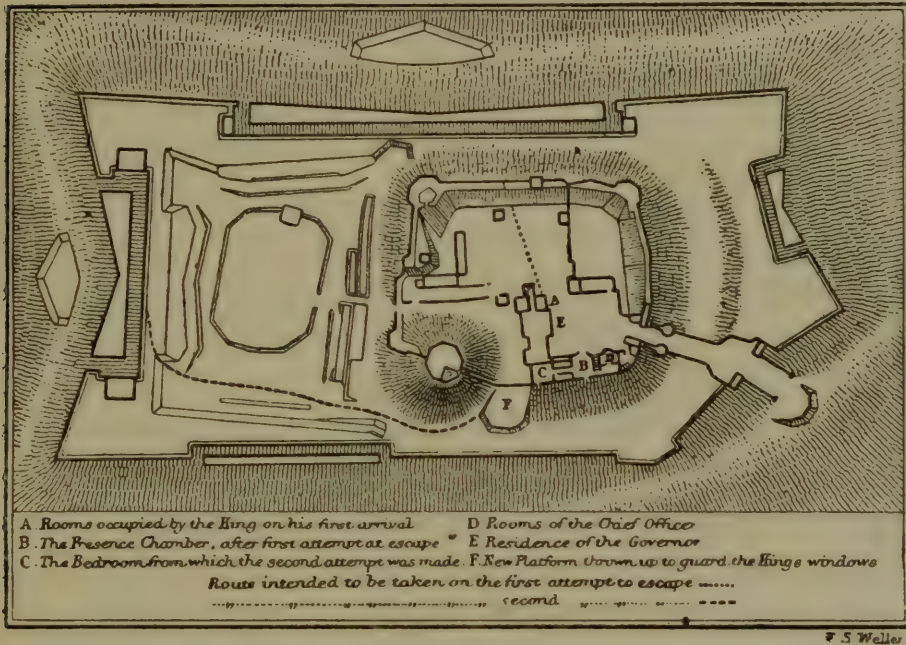
¹ The Com. of D. H. to Hammond, Feb. 7, *Letters between Hammond and the D. H. Committee.*

² ——— ? to Hammond, March 13, *ib.*

³ Newsletter, March 11, *Clar. St. P.* ii. App. xlvii.

out of the open casement of his bedroom window, which looked on the inner court of the castle,¹ in which, strange to say, no sentry had been placed. Firebrace would then conduct him to the castle wall and lower him on the other side by means of a

PLAN OF CARISBROOKE CASTLE IN 1648.



rope. Once over the wall Charles would then descend the mound on which the castle was built, after which he would find no farther difficulty, except a low counterscarp which could easily be surmounted. On the other side Worsley and Osborne were to be stationed with horses, whilst Newland was to be in attendance at the water's edge 'with a lusty boat' ready to carry Charles wherever he pleased to go.

The only part of this scheme in which Firebrace anticipated difficulty was the initial one. The opening between the side of the casement and the upright bar in the middle was, he thought, too narrow to ad-

Firebrace's
sug-
gestions.

¹ The traditional window, shown to visitors as that through which Charles attempted to escape, has no claims to that distinction. See Hillier's *Narrative*, 120.

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March 20.
Failure
of the
attempt.

mit of the King's getting his body through, and he therefore urged Charles to enlarge it by cutting through a plate at the bottom which seems to have held the upright bar against which the casement shut.¹ Charles however obstinately refused to accept his suggestion. He had, he said, tried the aperture with his head, 'and he was sure where that would pass, the body would follow.' Besides, the cutting of the plate might easily attract observation. Unfortunately for Charles, when the appointed night arrived, Firebrace's anticipation proved to be too well grounded. Charles struggled in vain to force his body through the casement, and, after placing in the window a lighted candle, as a signal that he had failed, retired discomfited to bed. As no breath of the attempt reached the Parliamentary authorities for more than a fortnight, it still seemed possible to renew it, and Charles continued to entertain hopes that, when a corrosive substance had been fetched from London, he would be able to remove the bar more silently than if he had filed it through.²

March 27.
Royalist
feeling in
London.

There can be no doubt that if the King had been really at large, a welcome would have been accorded to him before which even the army would have found it difficult to stand. In London, at least, the overwhelming preponderance of opinion was in his favour. On March 27, the anniversary of the King's accession, more bonfires were lit in the city than at any time since Charles's return from Spain. All who passed along the streets in coaches were compelled to drink the King's health, and shouts for

¹ "By cutting the plate the casement shut to at the bottom, which then might easily have been put by." This is by no means clear, but may bear the interpretation given above.

² Firebrace's *Narrative*, printed with Herbert's *Memoirs*, ed. 1702.

King Charles were mingled with execrations poured out upon Hammond, who was charged with barbarous usage of his prisoner. The butchers vowed that if they could catch him 'they would chop him as small as ever they chopped any of their meat.'

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While these scenes were being acted in the streets Marten called upon the House of Commons to 'go through stitch with their work, and to take order about deposing the King.'¹ No wonder that the Independent leaders hesitated to embark on so hazardous a course. Feeling that unless they could gain friends in England their case was desperate, they had for some time been approaching the City with conciliatory offers. They were ready, they said, to restore to the municipal authorities the command over the London militia and the Tower, to withdraw the soldiers from Whitehall and the Mews, and to release the imprisoned aldermen on the sole condition of a hearty support against the Scots. Their overtures were made in vain. Nothing, they were told, would content the City short of the King's restoration.² Even to that Cromwell and the Independent leaders had no insuperable objection provided only that sufficient security could be obtained for his good behaviour, and there is reason to believe that the English commissioners had some time before been instructed to offer to the Scots, as a condition of peace, that the King should be set at liberty and restored to the throne if he would content himself with powers considerably less than he had exercised before the civil war. The Presbyterians, they added, might have their share of court offices, but the power

Marten
proposes to
depose the
King.

The Inde-
pendents
negotiate
with the
City,

and make
an offer to
the Scots.

The King
to be
restored
under con-
ditions.

¹ Letters of Intelligence, March 30, *Clarendon MSS.* 2,751, 2,754.

² *Ib.* March 23, *Clarendon MSS.* 2,743; — ? to Lanark, March 28, *Hamilton Papers*, 169; Walker's *Hist. of Independency*, i. 83.

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An illusory
security.

over the militia must be reserved to the Independents.¹

A security to be obtained by placing the King on the throne and keeping an army on foot to restrain his actions was certain to prove illusory in the end, and that it should have been proposed at all is to be taken as evidence of the desperate straits to which the Independent leaders were driven. Yet there is reason to believe that overtures were at this time made to Charles himself. Even Marten seems to have been subdued, for the time, by the imminence of the danger. "If we must have a government," he said, "we had better have this King and oblige him than to have him obtruded on us by the Scots, and owe his restitution to them."²

March 28.
Cromwell
at Farn-
ham.

On March 28 Cromwell was at Farnham on private business. A report at once sprang up that he had gone to communicate with Hammond, and it was also said that the Earl of Southampton was at

¹ The Scots were to abstain from interference in England: 'ma però con conditione di rimettere il Rè in libertà e dentro il suo primo potere, però con gran modificatione, promettendo a loro parte negl' ufficii della Corte Reale, ma non nella militia.' Newsletter, March 24, *Roman Transcripts*, R.O. The statement that some negotiation of the kind was opened is confirmed by a passage in a subsequent letter from Loudoun to the King: "Lest my deportment may be misrepresented to your Majesty, I hold it my duty to let you know that the carrying on of the late engagement against the judgment and declarations of the Kirk, refusing to secure religion . . . and the rejecting of the desires of the commissioners sent to your Majesty's Parliament of this Kingdom from the Houses of your Parliament of England, who did offer in their name to join with this Kingdom in making their applications to your Majesty by treaty upon the propositions for removing of all differences and giving satisfaction in all things which could consist with justice and honour . . . did convince me of the unlawfulness of that unhappy engagement." Loudoun to the King, Oct. 1648. *MS. in the possession of Mr. John Webster, of Edgehill, near Aberdeen.*

² ———? to Lanark, March 28, *Hamilton Papers*, 170.

this time urged to make himself the medium of a fresh negotiation with the King.¹ Such constant persistence in his efforts to obtain peace with Charles's aid could not but expose Cromwell to the worst suspicions. Yet he had no thought of freeing himself from blame by any public declaration. "I know," he wrote to an attached friend, "God has been above all ill reports, and will, in His own time, vindicate me. I have no cause to complain."²

Neither Cromwell nor his Independent friends could bring themselves to confront the disagreeable truth that nothing short of their absolute submission would avert the impending war. During the last week of March and the first fortnight of April, the effort to bring the King to terms was kept up. Southampton, it is said, refused to act as mediator on the ground that he would thereby expose himself to the penalty threatened in the Vote of No Addresses.³

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Further
overtures
to the
King.
Cromwell
will not
vindicate
himself.

Persist-
ence of
the Inde-
pendents
in seeking
peace.

¹ Walker's *Hist. of Independency*, i. 78.

² Cromwell to Norton, March 28, *Carlyle*, Letter lv.

³ "For the most part of last week Mr. Pierrepont, Mr. St. John, Evelyn, and young Fiennes . . . met Lord Say at Wallingford, where they debated their condition, and concluded it necessary to entertain a treaty with his Majesty, thereby if possible to disengage him from the Scottish interest." — to Lanark, April 4, *Hamilton Papers*, 174. Walker again states that Cromwell had 'lately had private conference at Farnham with Hammond.' *Hist. of Independency*, i. 78. This must refer to Cromwell's visit to Farnham on March 28. "The Earl of Southampton," Walker continues, "hath been courted to negotiate with the King and offered the two Speakers' hands for his warrant." On April 18 a correspondent of Lanark's writes that the negotiation has come to an end. "I hear from a good hand that Mr. Ashburnham hath within fourteen days past been twice from the Independent party with the Earl of Southampton, to get him to go to the King and them; but the Earl refuseth except he have public leave from the two Houses and the King's consent and approbation; neither of which I find they are publicly inclined to do; for one of the chiefest amongst them said lately that they had endeavoured what they could to have a peace, but now nobody would trust them, and they would trust nobody, and

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April 6.
The King's
attempt to
escape
known.

April 9.
A riot in
the City.

Some of
the trained
bands
disarmed.

The mob
rushes
westwards.

A charge
in the
Strand.

On April 6, in the midst of these futile negotiations, those who were striving for peace learnt not only that Charles had nearly succeeded in effecting his escape, but that preparations for renewing the effort were still being carried on.¹ Three days later they were once more brought face to face with the problem of maintaining authority which has ceased to be based on good-will. On Sunday, the 9th, during afternoon service, the Lord Mayor sent a party of trained bands to interfere with the amusements of some boys who were playing at tip-cat in Moorfields. A crowd of apprentices and others on the spot took the part of the boys, first pelting the City forces with stones, and afterwards proceeding to fall on them and disarm them. The possession of arms gave confidence to the mob, now some three or four thousand strong, and raising a shout of "Now for King Charles!" they made their way westwards along Fleet Street and the Strand to drive Barkstead and his regiment out of Whitehall. On their way they passed the Mews, in which a regiment of horse was quartered, and where, as it happened, were Cromwell and Ireton, both of them ignorant of the danger till Fairfax² gave them timely warning.

Cromwell at once ordered out his cavalry and charged the mob as it was advancing along the

therefore were resolved to put it to a battle if ye came in, as they are confident ye will." *Hamilton Papers*, 185. In a newsletter of April 16 from Ford to Hopton, *Clarendon MSS.* 2,763, the message to Southampton is mentioned as having been sent by Say, and the answer returned is given in much the same terms as in the letter of Lanark's correspondent. Something might be said against each of these testimonies if it stood alone. It is the concurrence of so many which carries conviction of their general accuracy.

¹ Cromwell to Hammond, April 6, *Carlyle*, Letter lvii.

² He had just succeeded his father as Lord Fairfax in the Scottish peerage.

Strand; two of the crowd were either slain or desperately wounded, and, as too often happens unavoidably in such cases, some of the onlookers suffered together with the actors. By the evening the streets were cleared, and Fairfax retired to bed under the impression that the disturbance was at an end.

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At two in the morning of the 10th, Fairfax was awakened with the news that the apprentices had regained confidence during the night, had secured the City gates at Ludgate and Newgate, had attacked the house of the intrusive Lord Mayor, seizing the small cannon with which it was guarded, and firing shot through his windows. The Lord Mayor, justifiably alarmed, had taken refuge in the Tower. By eight in the morning the whole of the City was in the hands of the rioters, not a man of the trained bands venturing to appear against them. At last Barkstead's regiment accompanied by four or five troops of horse appeared on the scene. Finding Ludgate and Newgate barred against them, they skirted the northern side of the City and were admitted by friendly hands at Moorgate. Pressing on, the soldiers found the insurgents engaged in collecting arms near Leadenhall. Resistance to a disciplined force was impossible, and in a few minutes the crowd was dispersed, unhappily not without the loss of some lives, and the ringleaders led off to prison. An undisciplined mob in the presence of trained soldiers is not really dangerous; but it was ominous that on this occasion the mob had the sympathy of orderly citizens.¹

April 10.
Renewal
of the
tumult.

Its final
suppres-
sion.

To secure the Tower by increasing its garrison, and to insist on the removal by the City authorities

Ap. 10-15.
Precau-
tions
against its
renewal.

¹ *L.J.* x. 188, 190; Letter of Intelligence, April 10, *Clarke Papers*; Letter of Intelligence, April 13, *Clarendon MSS.*

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of the posts and chains which, at the beginning of the Civil War, had been placed in the streets to hinder charges of cavalry, were obvious precautions against a renewal of the danger.¹ Yet the Independents could not but feel that no display of physical force could be as effective as the establishment of a settled government, and in spite of the Vote of No Addresses, they made one last appeal to Charles to concur with them in the work of peace. This time the bearer of their message was a woman from the City, who could make her way unobserved to the Isle of Wight. The result of her employment was that Berkeley and Legge were again despatched from London on a secret mission to the King.²

The Duke
of York to
be king.

Though the terms now offered to Charles are unknown, there is strong reason to believe that they were accompanied by an intimation that if they were rejected sentence of deposition would be pronounced by Parliament against him, and the Duke of York crowned in his stead as King James II.³ The plan of

¹ The order to pull down the posts and chains was given by the Lord Mayor on April 10, and confirmed by the House of Commons on the 13th. On the 15th the Commons ordered that the garrison of the Tower should be made up to 1,000 foot and a troop of horse. *L.J.* x. 191; *C.J.* v. 529, 532.

² "They," *i.e.* Cromwell and his party, "have sent a gentlewoman in Lime Street, with a letter to the King, and after her return Colonel Legge and Colonel Berkeley were despatched to the Isle of Wight; and because they could not receive the King's answer time enough, they put off the debate of disposing of the King and Kingdom to a longer day; they have adjourned the Parliament and met at Farnham Castle. They have ordered the strengthening of the Tower with a thousand foot and a troop of horse, and the taking down of the chains, the drawing of the army nearer the City, &c." *Tricks of the State*, E. 436, 3. This pamphlet was published on April 29. Berkeley and Ashburnham probably returned before the 18th, if it is true that the negotiations with the King were broken off before that day. See p. 339, note 3.

³ I gather the King's knowledge of this resolve from his anxiety to effect the Duke's escape without delay.

substituting the Duke for his father had been approved by the Council of War;¹ and the 24th, the day on which there was to be a call of the House of Commons, seems to have been fixed on for a motion that the King should be dethroned in favour of his second son.²

To Charles, therefore, it was of vital importance that the Duke of York should not be found in England on the 24th. One obstacle to his escape, the word of honour which the boy had given not to repeat his former attempt to escape,³ was easily removed by Bamfield, to whom the arrangement of the plan was entrusted. Bamfield told the Duke that as he was under age his promise was not binding without his father's consent, and this sophistry obtained ready credence. The evasion was to be made on the 21st. For some evenings before, the Duke amused himself by playing hide and seek with his brother and sister in the apartments which they occupied at

April 21.
Escape of
the Duke
of York
planned.

¹ "This army (last April) in their council . . . debated the deposing of the King, disinheriting the Prince and crowning the Duke of York, which was then approved by Cromwell and Ireton." Walker's *Hist. of Independency*, i. 107. "Shortly," wrote Bamfield in an undated letter, "the design of 622 [the Duke of York's] crowning in case there be a necessity that monarchical government must continue, is freshly thought upon." *Hamilton Papers, Addenda*. The same idea is indicated in the King's own letter to Bamfield about the proposed escape of the Duke. "I believe it will be difficult and, if he miscarry in the attempt, it will be the greatest affliction that can arrive to me; but I look upon James's escape as Charles's preservation, and nothing can content me more." *Autobiography of Lady Anne Halkett*, 20. 'Charles's preservation,' I imagine, means the preservation of the rights of the Prince of Wales.

² "The citizens . . . see now the army . . . have environed them, on purpose to overawe the Presbyterian members at the great mote on Monday, the 24th instant; but the great design of that day held not since his Highness the Duke of York—wherein it is supposed he was chiefly to be concerned—hath escaped their clutches." *Merc. Elencticus*, E. 437, 10.

³ See p. 324.

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St. James's, in order to accustom his guardians to his absence from the room where he had usually been found at that late hour.

Anne
Murray's
prepara-
tions.

In the meanwhile, Anne Murray, a sister of the well-known Will Murray, had ordered a tailor to make for the boy a lady's dress. The order almost led to a discovery of the plot, as the tailor was startled by the measurements given to him. He had never, he said, made a dress in which the size of the waist was so large in proportion to the lady's height. The tailor, however, kept counsel, and, on the evening of the 21st, the Duke, saying that he was going off to his game, went into the garden, and opening the gate with a key with which he had been supplied, stepped out into the park, where Bamfield awaited him with a cloak and wig. Thus partially disguised, the Duke was taken in a coach to a house in which Anne Murray completed the metamorphosis, clothing him in a 'mixed mohair of a light hair-colour and black,' and a scarlet under-petticoat.

April 21.
The escape
effected.

The Duke
conveyed
to the
Nether-
lands.

In this guise, making as Anne Murray thought a very pretty girl, the boy, still accompanied by Bamfield, who now assumed the character of a brother, took passage in a barge to Gravesend, where the pair found a vessel awaiting them, and put to sea before orders had been given to stop the ports. Two days later they landed at Rammekens, safe from all pursuit. Yet the Duke continued to keep up his disguise after all necessity for it was at an end. On the night after his arrival he shocked the hostess of the inn in which he slept by rejecting the services of her maids when he undressed, and by insisting on occupying the same room as Bamfield.¹

¹ Account of the Duke of York's escape, *Clar. St. P.* ii. App. xlvii.; *Autobiography of Lady Anne Halkett*, 20. For the date of the escape see *L.J.* x. 219.

The Houses, as soon as they learnt what had happened, issued orders to transfer some of the servants of the Duke of York to his brother the Duke of Gloucester, now only in his ninth year, and did everything in their power to increase the dignity of the child's position, as if to point him out as a possible occupant of the throne now that his brother was no longer available. For the present, however, the time was unpropitious to such designs, as the signs of approaching war were growing clearer every day. Before the end of April, it was evident beyond dispute that the question was not how the Houses should dispose of the throne, but whether it was to be at their disposal. The news from Scotland was gloomy enough, and scarcely less gloomy was the news from Ireland.

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The Duke
of Gloucester's house-
hold
increased.Bad news
from
Ireland.

CHAPTER LXI.

THE EVE OF THE SECOND CIVIL WAR.

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1646
Nov.-Dec.
Ormond
and the
Irish Con-
federates.

A negotia-
tion with
Preston.

IN the winter of 1646, Ormond, finding that the English Parliament refused to accept his surrender of the Lord Lieutenant's office on his own terms,¹ had made a fresh effort to conclude an alliance which might unite the English Royalists with more moderate spirits amongst the Irish Confederates, on the basis of toleration under the King's authority, against Rinuccini on the one hand and the Puritans on the other. On behalf of this scheme Digby, as the King's Secretary of State, and Clanricarde, as a loyal Catholic nobleman, combined in carrying on a negotiation with Preston, the commander of the army of the Confederates in Leinster. Preston, jealous of the influence of O'Neill, and never altogether at his ease in carrying out the Nuncio's behests, listened for a time to their invitations,² but in the end broke away from them, and on December 22 signed a declaration throwing the blame of the rupture on the insufficiency of Ormond's offers.³ After this Rinuccini's triumph seemed complete. When the General Assembly met on January 10, 1647, he consented to the liberation

¹ See vol. ii. 576.

² The correspondence relating to this negotiation is printed in Carte's *Ormond*, vi. 453-483.

³ Preston to Rinuccini, Dec. 10, *Lord Leicester's MS.* fol. 1,448; Preston to Ormond, Dec. 19, Carte's *Ormond*, vi. 483; Preston's Declaration, Dec. 22, Gilbert's *Hist. of the Irish Confederation*, vi. 167.

of the members of the Supreme Council whom he had arrested in September,¹ being now strong enough to obtain the consent of the Assembly to a condemnation of the peace made by the Supreme Council with Ormond,² and a general acceptance of his own principles. Every member of the Assembly swore not to accept any peace which did not grant full liberty to the Roman Catholic religion in the whole of Ireland, the restoration of all jurisdictions and privileges possessed by the clergy in the days of Henry VII., the abrogation of all laws hostile to the Roman Catholic religion, and the restitution of all churches and benefices not only in the districts now held by the Confederates, but also in those which might be subsequently gained by them. A new Supreme Council was then chosen, in which the partisans of the clergy formed a decided majority.³

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Jan. 10.
General
assembly
at Kil-
kenny,Feb. 2.
condemns
the peace
with
Ormond.

Rinuccini's Parliamentary success could not smooth away the real difficulties of his position. The feud between Preston and O'Neill was still unappeased. The clergy could not trust Preston, and the brutalities of O'Neill's Ulstermen exasperated the laity of the South.⁴ The Nuncio was moreover irritated at the anxiety shown, even by the clergy, to maintain in all temporal matters their allegiance to a heretic king.⁵

March-
May.
Rinuccini's
difficulties.¹ See vol. ii. 544.² *Ib.* 537.³ Rinuccini, *Nunziatura*, 190-209, 472.⁴ Rinuccini to Panzirolo, May 28, *Nunziatura*, 229.

⁵ "Nel giuramento rinnovato in quest' Assemblea vedrà V. E. che il primo punto è la fedeltà verso il Rè, siccome anco i Vescovi senz' alcuna difficoltà hanno giurato. Questa cosa è tanto inviscerata in ogni sorte di persona anco ecclesiastica, che quando il Nunzio si facesse alcun minimo motivo, enterebbe subito in sospetto d' aver altri fini che di semplice nunziatura, come i mali affetti anco senza questo cercano alle volte di persuadere." Rinuccini to Panfilio, March 7, *Ib.* 205. The Nuncio goes on to say that, whenever the sending of 10,000 men to England was talked of, he took care to express his approbation of the proposal only in general terms.

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The reluctance of the nobility to submit to the domination of the clergy was still more strongly marked; whilst the money which should have been sent from Rome had not yet arrived. Under these circumstances the Confederate Catholics missed the opportunity of seizing Dublin, which was offered them by the strife between the Parliament and army in England.

March.
Mission of
Winter
Grant.

Whilst Rinuccini was chafing under the restraints which hindered the creation of a Papal Ireland, the Queen was doing what she could to make Ireland Royalist. In March one of her agents, Winter Grant, urged Ormond to retract the word which he had given to Parliament and to form a league with Rinuccini in defence of the rights of the Crown. Grant passed from Kilkenny to Dublin and from Dublin to Kilkenny, but it was not in his power to induce either Ormond to bend before the Nuncio's terms, or the Nuncio to accept Ormond's doctrine of the supremacy of the Royal over the ecclesiastical power.¹

June 7.
Michael
Jones in
Dublin.

The precious time thus frittered away could never be recovered by the Confederates. On June 7 Michael Jones, appointed by the English Parliament to the command in Leinster,² landed in Dublin accompanied by Parliamentary commissioners, and, what was of far greater importance, by 1,400 foot and 600 horse. Ormond, after a protracted negotiation, had no choice but to surrender unconditionally to the English Parliament. On July 28 he delivered over the sword of office to the commissioners, and a few days later sailed for England. His policy of

July 28.
Ormond
surrenders
the sword.

¹ Notices on Winter Grant's mission are scattered over the *Carte MSS.* of the time, and Rinuccini's *Nunziatura*.

² See p. 46.

seeking to bind Ireland to Charles by the concession of religious toleration under the Royal authority could not but fail. He never had the material forces behind him necessary to terrify those who rejected his offers, nor was it possible for him to inspire those to whom his policy was in itself acceptable with confidence in a king who merely sought to make use of Catholic Ireland for his own ends.

Whilst Ormond was haggling with the commissioners the long-expected attack of the Confederates was at last impending over Dublin. Freed from the rivalry of O'Neill, who had betaken himself to Connaught, Preston surprised Carlow in May, and having collected a considerable force, was early in July in a position to attack the girdle of fortified posts with which Dublin was surrounded. Naas capitulated on July 15, and Maynooth on the 23rd. Preston then laid siege to Trim. If Trim proved unable to resist, it would next be the turn of Dublin.¹

May-July.
Preston's
advance.

Before Trim could be brought to yield, the change of rulers in Dublin exposed Preston to an attack from a commander who, though money and supplies were still wanting, had a military force sufficiently well equipped to be available, if only for a short time, for active service. On August 1 Jones marched out of Dublin; then striking northwards he effected on the 4th a junction with Sir Henry Tichborne, who, having been one of the King's lords-justices, was now serving the Parliament loyally in his old post as governor of Drogheda. The combined force was reckoned at 5,000 foot and 1,500 horse, whilst Preston had at his disposal at least 7,000 foot and 1,000 horse. On the 8th Jones found Preston's army posted on Dungan Hill, not

Aug. 1.
Jones
leaves
Dublin.

¹ *Lord Leicester's MS.* fol. 1,708.

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Aug. 8.
Battle of
Dungan
Hill.

far from Trim, and at once pushed forward to the attack. As at Benburb,¹ the battle was decided by the result of the encounter of the cavalry. Inferior in numbers and discipline, the Irish horse took to flight on both wings. The foot soldiers alone, stubborn as their resistance was, could do no more than maintain the honour of their race. After more than half their numbers had fallen three thousand survivors took refuge in a bog. Jones at once ordered his horsemen to guard the exits, whilst his footmen pressed in to the slaughter. The Irish officers were reserved as prisoners, but of the private soldiers who entered the bog no more than 228 escaped with their lives. Amongst those who fell were four hundred of the hardy band which had followed Alaster Macdonald in the Highlands under the leadership of Montrose.²

The Irish
loss.

According to the English accounts no more than 500 of the Irish foot escaped from first to last, whilst the Irish themselves admitted a loss of 3,000. Preston himself escaped, but his money and baggage, together with his secret correspondence, fell into the hands of the victors. To Jones's hungry soldiers the most valuable prize was 'sixty-four pair oxen' ready to be converted into food. Yet even with this help Jones's commissariat was not in a condition to enable him long to keep the field. He recovered Naas and Maynooth, but on the 10th, only two days after his victory, he was compelled to dismiss Tichborne and to return to Dublin.

¹ See vol. ii. 535.

² Relation of Battle of Trim, *Nunziatura*, 243; Diary, *Carte MSS.* xxi. fol. 371. In the Relation Macdonald's men are called 'Scoti Iberni,' which seems to settle the question of their race. Colonel Alexander Macdonald is said to have fallen, but either this must be an error, or the slain man must have been a namesake of the son of Colkitto.

Good news met Jones on his arrival at the city gate. A ship had arrived bringing 1,500*l.* from England, an earnest, as the soldiers hoped, of better things to come. The victors, as they strode along the streets of Dublin, were not allowed to display the banners which they had captured. It would savour, said Jones, 'of ostentation and attributing unto man the glory of this great work due unto the Lord only.'¹

To the Confederate Catholics the blow was, indeed, a heavy one. The Supreme Council summoned O'Neill to their aid, and before long the Ulster chieftain established himself in Leinster, but his followers brought with them an evil reputation as plunderers which rendered a hearty co-operation with the southern Irish impossible.² Under any circumstances O'Neill would have found it difficult enough to cope with Jones. His forces were quite insufficient to cope with Inchiquin as well.

Inchiquin, whose savage destructiveness branded him amongst his countrymen with the appellation of 'Murrough of the burnings,' was pursuing his accustomed work of destruction in Munster. On September 3 he drew near to the Rock of Cashel on which the fortress-cathedral of St. Patrick, the work of Norman conquerors, overshadows the lovely chapel of Cormac, the last effort of Irish architectural art in the days before the Irish tribes bowed beneath the yoke of the stranger. On the 4th, mounting the ascent, he drove the Irish garrison into the cathedral. Then followed a desperate struggle. Finding the doors blocked against them, the assailants raised

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Aug. 10.
The conquerors
enter
Dublin.Aug. 12.
O'Neill
summoned
by the
Supreme
Council.Inchiquin's
ravages.Sept. 4.
He storms
the Rock
of Cashel.

¹ Diary, *Carte MSS.* xxi. fol. 371.

² *Lord Leicester's MS.* foll. 1,731-1,738. The charge of plundering is placed beyond dispute by its being made in an account written in Rinuccini's interests.

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ladders to the windows and leapt into the church. For half an hour the fight raged within till some sixty of the defenders, who alone remained alive, took refuge in the bell-tower. Enticed by promise of quarter, they at last descended, to be butchered or retained as prisoners for ransom by the faithless Inchiquin. Five priests were slaughtered as a matter of course. Amongst the slain were some women, whilst others were stripped naked and turned out in their shame. When the destruction of human life was at an end, the soldiers fell upon the great crucifix in the rood-loft, and lopped away the head, the hands, and the feet of the image of the Saviour. That day's work put a barrier between Inchiquin and his countrymen which no subsequent tergiversation on his part ever availed to remove.¹

Oct. 2.
Jones
again
leaves
Dublin.

After Inchiquin had satisfied his rage and the cupidity of his soldiers at Cashel, his light horse swept the country up to the walls of Kilkenny. This success encouraged Jones, who had now received fresh support from England, to resume the offensive. Leaving Dublin on October 2, he marched northwards to effect a junction with a soldier of far higher quality than Inchiquin.²

1644
Monk in
the Tower.

That soldier was George Monk. After his capture at Nantwich,³ in January 1644, Monk was for a long time imprisoned in the Tower. He was the very type of a professional soldier, diligent and skilful in the fulfilment of his duties, and entirely uninfluenced by political or religious enthusiasm. As long as Charles was in a position to claim his services, Monk turned a deaf ear to the advances of his captors, who would gladly have given employ-

¹ Father Sall's narrative in Murphy's *Cromwell in Ireland*, 388.

² *Lord Leicester's MS.* 1,738 b.

³ See vol. i. p. 344.

ment to so distinguished an officer. At last, in November 1646, when Charles was in the hands of the Scots at Newcastle and the Royal army had ceased to exist, Monk, holding himself free from all further obligation to the King, took the Covenant and accepted service under Lord Lisle,¹ who was then setting off for Munster as Lord Lieutenant of Ireland.²

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1646
Nov.
Monk
takes the
Covenant.

Lisle's appointment proving a failure, Monk returned with him to England in 1647. His services, however, were too valuable to be readily dispensed with, and on July 17 of the same year he received a commission to command all the Parliamentary forces in Ulster excepting the Scottish regiments under Monro. As O'Neill was no longer in the North, Monk soon found himself in a position to give assistance to the forces in Leinster, and on October 5 he brought 1,400 foot and 600 horse to the help of Jones. Their united army now consisted of 6,000 foot and 1,600 horse—a force which was irresistible as long as it could be fed. Many fortresses were

1647
July 17.
Monk's
command
in Ulster.

Oct. 5.
Junction
between
Monk and
Jones.

¹ See p. 46.

² Gumble's *Life of Monk*, 22; *L.J.* viii. 562, 564; ix. 336. Mr. Julian Corbett holds that Monk did not take the Covenant at this time—though there is evidence that the committee of both kingdoms reported him to be ready to take it—on the ground that the Ulster Scots asked him to take it in 1649, which he thinks they would not have done if he had taken it already. It appears, however, that, on March 30, 1649, Lord Montgomery of Ards and others wrote to Monk that they did not see how they could 'in conscience join with any new association with such as will not cordially renew the Covenant with us now.' (*Carte MSS.* xxiv. fol. 332.) That the Scots in 1649 wanted Monk to take the Covenant a second time is shown still more clearly by the Declaration of the Council of War printed in *The Declaration of the British*, E. 556, 15. The fact is that to take the Covenant in 1646 meant, to a man who cared nothing for ecclesiastical distinctions, a renunciation of the service of Charles I. for that of Parliament. To take it in 1649 meant a renunciation of the service of the Commonwealth for that of Charles II. and the Scots.

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1647

Nov. 13.
Inchiquin's
victory
near
Mallow.

captured, including the strong town of Athboy, under the very eyes of O'Neill.

O'Neill was the less able to offer resistance as he had weakened himself by the despatch of Alaster Macdonald into Munster to assist Lord Taafe, the general of the Confederates, in making head against the victorious Inchiquin.¹ On November 13, however, Inchiquin defeated the combined army in the neighbourhood of Mallow. As at Dungan Hill the struggle on the field was followed by a butchery, no quarter being given to any but the officers. Even this distinction did not avail Alaster Macdonald. The strong man whose swashing blows had stemmed the tide of war at Auldearn² was negotiating for a surrender, when an officer of Inchiquin's basely stabbed him in the back, and stretched him dying on the ground.³

Nov. 12.
The
General
Assembly
despondent.
Talk of a
Protector
of Ireland.

Such a flood of disaster necessarily produced a deep feeling of despondency at Kilkenny, where the General Assembly was again in session. For some time there had been a talk of offering the Protectorate of Ireland to a foreign prince, and for this office Rinuccini would have selected the Pope or some Catholic sovereign acting under the Pope's influence.⁴ The old party of peace was, however, too strong for the Nuncio. The General Assembly now restored to their places in the Supreme Council many who had been ejected and imprisoned by him a year before. It also insisted, in spite of his objections, on

¹ *The late Successful Proceedings of the Army*, E. 412, 4; *Lord Leicester's MS.* fol. 1,738 b-1,739 b.

² See vol. ii. 186.

³ Inchiquin to Lenthall, Nov. 18, *A true Relation*, E. 418, 6; Rinuccini's *Nunziatura*, 268.

⁴ In his letter of Nov. 23 (*Nunziatura*, 265) he does not commit himself so far, but his subsequent letters show what his wishes were.

sending three commissioners to France with the twofold object of inviting the Prince of Wales to Ireland, in accordance with the proposal which had been made through Winter Grant,¹ and of coming to an agreement with the Queen on terms of peace which might supersede those formerly arranged with Ormond.² Rinuccini was the more dissatisfied as two of the commissioners, Lord Muskerry and Geoffrey Browne were his opponents, and the only one on whose goodwill he could count was the Marquis of Antrim. The influence of the Nuncio, however, was still considerable enough to enable him to exact a promise from the Assembly that, as far as religion was concerned, nothing should be accepted which had not the sanction of the Pope, and to obtain the appointment of two other commissioners of his own selection to negotiate at Rome.³

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1647
Commis-
sioners
sent to
France,

and to
Rome.

It was not till February that the two parties of commissioners left Ireland. At the end of that month Colonel Barry landed at Cork⁴ with instructions from Ormond—who had now been for some time in France—to bring the Royalist party in Ireland into active co-operation with that large party amongst the Confederates which was more or less openly hostile to the Nuncio.

1648
Feb.
Departure
of the
commis-
sioners.
Barry's
mission.

Before making for Kilkenny, Barry stopped to have an interview with Inchiquin. In spite of the ferocity he had exhibited against his Catholic fellow-countrymen, Inchiquin had for some time been preparing to change sides. He had far more in common with the great Irish landowners who formed the main support of the Royalist party amongst the Con-

Inchiquin
changes
sides.

¹ See p. 348.

² See vol. ii. 424.

³ Rinuccini's *Nunziatura*, 263–293.

⁴ *Lord Leicester's MS.* fol. 1,904.

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March.
A cessation
to be nego-
tiated.

March 28.
The news
reaches
West-
minster.

April 13.
Inchiquin's
revolt
known.

April 25.
Bad news
from
Scotland.

April 11.
Demands
of the
Scottish
Parlia-
ment.

federates, than with Jones on the one hand or Rinucini on the other. He had also taken alarm at the Vote of No Addresses as implying a defiance to his own class as well as to the King. Accordingly, he received Barry with open arms, and gave him authority to negotiate between himself and the Confederates a cessation of arms which might afterwards be converted into open co-operation in the King's name.¹

On March 28 the ominous tidings that negotiations were on foot reached Westminster.² On April 13 further news arrived which confirmed the worst fears. Inchiquin had, on April 3, declared openly for the King and for an alliance with the Scots and the Irish Confederates, and had also notified to his officers that those who refused to support his new policy must leave the country.³

Before long news still more depressing arrived from Scotland. Whatever hope Cromwell may have entertained of averting an invasion by an understanding with Argyle and the Kirk had now to be definitely abandoned. On April 11 the Scottish Parliament voted that the treaty between the two kingdoms had been broken, and that a demand should be made for the establishment of the Presbyterian religion in England, and the suppression of heresy and the Book of Common Prayer. It also voted that the English Parliament should be asked to open a negotiation with the King in the hope of obtaining his consent to these terms, and should disband

¹ Philopater Irenæus (*i.e.* John O'Callaghan), *Vind. Cath. Hib.* 58.

² All that was published was a letter from Inchiquin's officers declaring that they must be fetched home to England unless supplies were sent; but Grignon, in his despatch of April 13, speaks of Inchiquin as having already joined the Catholics.

³ *L.J.* x. 161, 189; *Papers against Lord Inchiquin*, E. 435, 33.

Fairfax's army of sectaries. On the 18th the Parliament, in expectation of a refusal of these demands, proceeded to name colonels of the regiments about to be raised in the several counties for service against the enemies of religion.¹

From Wales, too, the news had for some time been alarming. Early in March hopes had been entertained that the troops raised by Laugharne to fight during the last war on the side of Parliament would suffer themselves to be quietly disbanded. A

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LXI.
1648
April 18.
It names
officers.

March.
Proposed
disband-
ment of
Laugh-
arne's
troops.

THE WAR IN SOUTH WALES.



considerable party of them, however, now went off in the direction of Pembroke, giving intimation of their approach to Poyer. On March 23, Poyer, sure of their support, sallied out of the castle and chased out of the town the Parliamentary officer, Colonel Fleming, with the soldiers under his command.²

March 23.
Poyer's
sally.

¹ *Acts of the Parl. of Scotl.* vi. part ii. 23, 30.

² *A Bloody Slaughter*, E. 433, 5; *The Kingdom's Weekly Intelligencer*, E. 434, 26; *Prince Charles's Letter*, E. 434, 27; *Perf. Occurrences*, E. 522, 11; *Rushw.* vii. 1,039.

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1648
Poyer's
activity.

Colonel
Horton to
disband
Laugh-
arne's
regiments.

A com-
bination
against
England.

Poyer was encouraged by this success to more active operations. Sweeping over Pembrokeshire he levied men and contributions, and only just failed in carrying off the Parliamentary commissioners as prisoners to Pembroke. He succeeded in getting possession of Tenby Castle, and was emboldened to issue a proclamation in which he declared openly for the King and the Book of Common Prayer.¹ At Westminster there was grave anxiety as to the attitude of Laugharne's regiments. Colonel Horton was despatched by Fairfax with reinforcements to superintend the disbandment, for, though both soldiers and officers gave fair promises, they might easily be carried away by the enthusiasm of Poyer's good fortune to resist a government known to them mainly by the taxes which it levied.² As April wore on it became clear that Horton would have more enemies to deal with than the mere garrisons of Pembroke and Tenby. Laugharne's men took what payment they could get and left their ranks; but as soon as they were disbanded they for the most part placed themselves under Poyer's orders.³ In so doing they were encouraged by Colonel Powel, one of Laugharne's principal officers, though Laugharne himself for the present abstained from action. On April 17 Horton wrote that he had arrived at Neath, and that an immediate action was expected.

In Wales, as in Ireland and Scotland, Charles hoped to draw to his own profit the not unnatural reluctance of the population to submit to the predominance of England. Yet neither his character nor his position fitted him to appear as the champion

¹ *Perf. Occurrences*, E. 522, 17; *The Declaration of Col. Poyer*, E. 435, 9.

² *A Perf. Diurnal*, E. 522, 15.

³ *Ib.* E. 522, 20.

of overborne nationalities. Alike in Scotland and in Ireland the distinctive national feeling had rallied to the representative of the spiritual power—in one case to the Presbyterian clergy, in the other case to Rinuccini. Hamilton in Scotland and the Confederate lords in Ireland supported Charles's claims in England, because they wished to use his restored authority to support them in opposing ecclesiastical pretensions in their respective countries. Their most vigorous efforts would be heavily weighted with an ally, whose promises no man could trust, and who, when his own objects had been gained, would as readily sacrifice his supporters as his enemies.

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Its inherent weakness.

To Charles himself the varied nature of the forces taking the field on his behalf was almost certain to be detrimental. Cavaliers of the old stock like Glemham and Langdale might cheerfully accept the help of the Scots, as Ormond had accepted the aid of Inchiquin and Muskerry, in confidence that when the victory had once been won their own social position, combined with the favour of the King, would suffice to secure the ascendancy of their own principles in the future. Charles's new allies, the English Presbyterians, were much less confident, and but few of them were likely to believe that a victory due to the Cavaliers, aided by the less distinctively Presbyterian section of the nobility of Scotland and by the Catholic nobility of Ireland, would really conduce to the attainment of their objects.

Its effect in England.

If there was a man in England capable of taking advantage of this state of feeling it was Cromwell. All his thoughts made for unity, and after pushing his designs for the conciliation of the King almost beyond the verge of safety, he at last accepted the stern teaching of facts, and betook himself to the

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conciliation of the Presbyterians. It did not need much clearness of brain to teach him the importance of succeeding here. The army, though comparatively small in numbers, had the advantage of a central position, and might fairly be expected to cope with the large forces threatening it from Scotland and Ireland, because those forces were scattered over a wide circumference, and were ill-supported even by the people of the countries which sent them forth. A successful rising in England, and especially in London, would shift the whole balance of the war. The army would, in that case, be deprived at a blow of the support of the machinery of civil government, and would degenerate into a horde of brave and well-disciplined brigands.

April 25.
News from
Scotland.

The turning point appears to have been reached on April 25. On that day a letter written from Newcastle by Hazlerigg was read in the House of Commons, announcing that a resolution to raise an army had been taken in Scotland.¹ As it happened, the House was unusually full, and in a full House there was always a Presbyterian majority. Yet the effect of this news, even on the Presbyterians, was at once exhibited. Not only did the House resolve to strengthen the fortifications of Newcastle, but to proceed with the least possible delay to the question of the settlement of the kingdom,² which had been kept in the background since the Vote of No Addresses, during the time that the Independents had been carrying on their secret negotiation for the abdication of the King.³ On the 27th, before the constitutional debate was opened, a still more pressing question

Its effect
at West-
minster.

¹ *L.J.* v. 544. The letter is probably the one printed anonymously in the *Perf. Diurnal*, E. 522, 25.

² *C.J.* v. 544, 545.

³ See p. 326.

claimed the attention of the House. The misunderstanding between the City and the army sprung from differences about money quite as much as from differences about religious and political principles. No threats of the soldiers or of Parliament could induce the citizens to pay their assessments, and without the assessments of the City the soldiers must either starve or make themselves unpopular by living at free quarter. Necessarily, therefore, the citizens were in ill odour at head-quarters, and from time to time there was a talk amongst the Agitators of taking the law into their own hands. On the 27th, the City authorities appeared at Westminster, and laid before the Houses information received from an exciseman named Everard, to the effect that, being at Windsor on the 20th, as he lay in his bed, he overheard some officers, of whom Colonel Ewer was one, talking in the next room of disarming the City and forcing it by threats of plunder to advance 1,000,000*l*.

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April 27.
Ill-feeling
between
the City
and the
army.

Everard's
informa-
tion.

In consequence of this information the City now demanded that the chains taken away from the streets after the late riot¹ should be restored, that the army should be removed to a farther distance, and that Skippon, who possessed the confidence of both parties, should be appointed to command the trained bands of the whole district within the now demolished fortifications.² Cromwell at once perceived that the advantage of coming to an understanding with the City would be far greater than anything that could be gained by the maintenance of irritating precautions against revolt, and, seconded by Vane,³ he moved that the petition of the City might be granted. The right

Demands
of the
City.

granted
at the
request of
Cromwell
and Vane.

¹ See p. 340.

² *L.J.* x. 234.

³ *Merc. Pragmaticus*, E. 437, 31.

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of replacing the chains and the appointment of Skippon met with no opposition; the question of removing the army could only be decided with the concurrence of the army itself.¹

April 28.
King,
Lords, and
Commons
to be main-
tained.

On the 28th the House proceeded to consider the basis of the constitutional settlement of the kingdom. In a division, in which the Presbyterians were supported by Vane and Pierrepont and other leading Independents,² it was resolved by the large majority of 165 to 99 that the House would 'not alter the fundamental government of the kingdom, by King, Lords, and Commons.' The question who the King should be was not openly touched, but the House proceeded to resolve that the matter of the propositions sent to the King when he was at Hampton Court should 'be the ground of the debate for the settlement of the peace of the kingdom,' and that any member was to be at liberty in spite of the Vote of No Addresses to propound anything he pleased in the course of the debate.³

The
Hampton
Court pro-
positions
to be the
basis of
the settle-
ment.

Result
of these
votes.

There were some who thought that the main object of those who supported this proposal was to cut the ground from under the feet of the Scots. Cromwell, at least, could vote with a safe conscience for a Presbyterian settlement if he could be sure that Parliament would maintain the concession of religious liberty which had been made at the time of the adoption of the propositions intended to be presented at Hampton Court.⁴ Most likely, however, he troubled himself for the moment about none of these things. What he wanted now was time in which to beat the Scots, and if Parliament chose to waste

¹ *C.J.* v. 546.

² ——— ? to Lanark, April 28, *Hamilton Papers*, 190.

³ *C.J.* v. 547.

⁴ See p. 210.

time by entering into a fresh negotiation with the King as hopeless as the first, he at least would be the gainer.

Having done what he could at Westminster, Cromwell hurried to Windsor. He had there to do with men to whom the very idea of compromise was hateful. On the 24th a body of Agitators had met at St. Albans, where they denounced the ambition of the grandees, and drew up a petition for the immediate adoption of the *Agreement of the People*.¹ This foolish attempt to exasperate nine-tenths of the nation against the army at a moment when the army had but little good-will to spare was summarily put down. On the 28th those who had taken part in the meeting were summoned before a Council of War at Windsor, and though they ultimately escaped with no more than a reprimand they were taught that the time was not one for sowing divisions in the army or the State.²

April 24.
Meeting of
Agitators.

• Cromwell could stamp out mutiny, but he could not conceal from himself that his hold on the army was imperilled. Everything, it seemed, had gone wrong, and most of all his own sanguine efforts to restore peace by negotiating with the King. It was no secret that, by many in the army and out of the army, he was regarded as a traitor who had turned aside from the path in which he had engaged to walk after the suppression of the mutiny on Corkbush Field. Yet Cromwell's mind was not troubled merely by the fear of external danger. His failures always brought with them deep searchings of heart, and stern questionings of his own conscience to teach him whether he had in any way strayed from the path of

Cromwell
distrusted.

¹ *The Army's Petition*, E. 438, 1.

² *Perf. Weekly Account*, E. 438, 8.

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April 29.
A prayer-
meeting.

duty. In this he was not alone, and on the 29th¹ the notables of the army—both officers and Agitators—met at Windsor to consider the position in which they stood, now when it almost seemed as though the past struggle had been entered upon in vain.

April 30.
Cromwell's
urgency.

The first day was spent in prayer with the purpose of 'enquiring into the causes of that sad dispensation.' On the second day 'Lieutenant-General Cromwell did press very earnestly on all those present to a thorough consideration of our actions as an army, as well as our ways particularly as private Christians, to see if any iniquity could be found in them, and what it was, that if possible we might find it out, and so remove the cause of such sad rebukes which were upon us by reason of our iniquities.' Upon this, those who were present carried their inquiry back, searching for the time when the presence of the Lord was amongst them, 'and rebukes and judgments were not as then upon us.' It was a long quest, and those concerned in it were not given to brevity of speech. The time of the meeting sped away as yet without definite result.

On the morning of the third day, May 1, news

¹ The date given in Allen's narrative (printed in *Carlyle* after Letter lv.) is 'in the beginning of 1648,' that is to say after March 25. Not only is it impossible to fix the date during Cromwell's negotiations with the King, but there are other reasons for placing it at the end of April. Under the date of May 2, *Mercurius Pragmaticus* (E. 437, 31) speaks of a day of humiliation at Windsor, and Whitelocke fixes it on April 29. This would bring the third day to May 1, and a Letter of Intelligence of May 1, in the *Clarendon MSS.* (2,771) says that the Independents in the House 'will bring the King upon his trial, and make choice of some of their learned divines to show the lawfulness of it.' The final resolution at Windsor seems to have been taken after the decision to send off part of the army to Wales, which was on April 30 or May 1. From this I gather that the three days of the conference were April 29, 30, and May 1, especially as we know that Cromwell was at Windsor on April 29, and it seems unlikely that he should have been absent from Parliament on the 28th, when the important vote was taken on the settlement of the kingdom.

arrived which drove these earnest seekers rapidly to what can hardly have been other than a foregone conclusion. They learnt that in Wales, Fleming, pushing on too far, had been surprised and slain, and that all South Wales was in a state of revolt. Wherever Horton appeared the whole population fled to the hills, and not even a horse-shoe was to be had. At once Fairfax and the Council of War ordered Cromwell into South Wales with two regiments of horse and three of foot, making up together with those under Horton a force of 8,000 men.¹

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April 29.
A check
in Wales.

May 1.
Cromwell
sent to
South
Wales.

The renewal of the war, of which so much had been said during the past twelve months, and which the army had, wisely or unwisely, striven so hard to avert, had thus become a grim reality. The sword must again be drawn before peace and settlement could be won. When that Council of War broke up, and officers of whom it was composed joined the Agitators once more to gather up the conclusions to which they had come since the last day's meeting, the temper exhibited by them was harder than on the day before. Major Goffe led the way, characteristically pointing out their sins of unbelief, base fear of men, and carnal consultations as the fruit thereof; with their own wisdoms, and not with the word of the Lord. For a while his hearers, to whom every success was a sign of Divine intervention in their favour, and every failure a sign of the Divine wrath, listened speechlessly. Bitter tears rolled down their bronzed cheeks as they pondered over their long and fruitless efforts to win the King to the ways of peace. And now their long strivings had an end. Charles's light, insincere talk had culminated in this worst of all offences, the deliberate

The third
day's
meeting.

¹ *A Perf. Diurnal*, E. 522, 26.

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stirring up of fresh war; not, as in 1642, by placing himself at the head of a party which sympathised with his aims, but by deliberately rousing the hostility of men with whose aims he had no sympathy whatever, and whom he intended, it was impossible to doubt, to cozen and fling aside when they had served his purpose.

Whatever else might be true, the effort to obtain peace with the help of Charles had no shadow of truth in it. Here then was the sin of the army, and this sin must be driven far off if it was again, as in the days of open strife, to be gladdened by the consciousness of the Lord's presence. Some of those present had seen this long ago; all of them saw it now. "Presently," as one who on that day wept and meditated with the rest, told the story long afterwards, "we were led and helped to a clear agreement amongst ourselves, not any dissenting"—this time at least, not even Cromwell—"that it was the duty of our day, with the forces we had, to go out and fight against those potent enemies, which that year in all places appeared against us, with an humble confidence in the name of the Lord only, that we should destroy them; also enabling us then, after serious seeking his face, to come to a very clear and joint resolution on many grounds at large then debated amongst us, that it was our duty, if ever the Lord brought us back again in peace, to call Charles Stuart, that man of blood, to an account for the blood he had shed, and mischief he had done to his utmost, against the Lord's cause and people in these poor nations."¹

It needs no recourse to the belief in Divine inspiration to account for this stern decision. Charles had played fast and loose with his obligations, till

¹ Allen's Narrative, Somer's *Tracts*, vi. 500.

men, such as those who took part in that fierce prayer-meeting at Windsor, had come to think of him as the one root of evil. They had failed to make their way through the tangle of political arguments. They had failed to conciliate their fellow-countrymen; but they had come to the conclusion, not only that there could be no peace for England until Charles had been deprived of his power to stir up never-ending strife, but that he must be called 'to an account for that blood he had shed.'

That Cromwell agreed with the first conclusion can hardly be doubted; but if in momentary exaltation of spirit, he gave his assent to the latter, many months had still to pass before he could throw himself heart and soul into the course to which the resolution of his fellow-soldiers deliberately pointed.

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The
decision
against
Charles.

CHAPTER LXII.

ST. FAGANS AND MAIDSTONE.

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Necessity
of con-
ciliating
the City.

FROM a military point of view everything depended on the possession of the City. The numbers of the army were indeed sufficiently large to keep London down by force, but they were not sufficient to keep down London and to fight the Welsh and Scots as well. Cromwell, clearly recognising this simple truth, had of late been doing everything in his power to induce his brother-officers to abandon their wild talk about a more extended military occupation of the City.¹ It would be time enough when the enemy had been beaten to 'make the City pay for all,' in other words to compel it to pay the assessments which it had hitherto kept back,² possibly with such additions as would meet the expenses of the whole of the new war.

May 1.
The
regiments
to be with-
drawn from
Whitehall
and the
Mews.

The act was suited to the word. On May 1 Fairfax, without waiting for orders from Parliament, announced to the House of Commons his intention to

¹ See p. 361.

² "Before Cromwell went for Wales, it was resolved at a Council of War that the City should have all they could ask or desire, there being no other way for the present to quiet them; and Cromwell then told Fairfax that he did not doubt good success in Wales, and to be with him suddenly in the North . . . to settle those countries, and then they would make the City pay for all.' Advices to Ormond, July (?), *Carte MSS.* xxii. fol. 162. The story, it must be remembered, is told by a Royalist, and therefore in a way most unfavourable to Cromwell; and, as a matter of fact, when the army came back it made no attempt to do more than call for the payment of the assessments due to it.

despatch Cromwell into Wales, added that he was about to withdraw the regiments from Whitehall and the Mews, leaving the protection of Parliament to the London forces under Skippon's command.¹ The House indeed asked Fairfax to postpone the execution of his order; but only till time had been given it to consult the authorities of the City on the new guard to be provided for its own safety.²

If the City had been heart and soul in favour of a Scottish intervention these blandishments would have been of little avail. As a matter of fact the bulk of the Presbyterians, both in the City and in Parliament, were beginning to suspect that they were being used as a catspaw by the Royalists. "The kingdom," wrote a Cavalier, "generally desires their King, and the people grows to be unquiet, but they are so afraid of a new war as they will hardly stir. The Presbyterians are much discontented, and would willingly be rid of their new masters; yet rather than they will hazard the coming in of the Cavaliers and the reduction³ of Episcopacy, they will sit still."⁴

The Presbyterians
distracted.

At Westminster the members composing the Presbyterian majority were a prey to conflicting emotions. They were eager to negotiate with the King, and also eager to keep at a distance the Scots on whom the King mainly relied. Distrusting the army they were, nevertheless, willing to make use of it to hold back the flood of Royalism which threatened to sweep them away. On May 2 they issued an Ordinance, bristling with death-penalties against blas-

May 2.
Hesitation
of the
Presbyterians.

¹ Fairfax to Lenthall, May 1, Cary's *Mem. of the Civil War*, i. 393.

² *C.J.* v. 549; compare a Letter of Intelligence, May 4, *Clarendon MSS.* 2,773.

³ *i.e.* the bringing back.

⁴ Letter of Intelligence, May 1, *Ib.* 2,771.

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Ordinance
against
blasphemy
and heresy.April 28.
Berwick
seized,April 29,
and Car-
lisle.May 3.
Peremp-
tory
demands
from
Scotland.Their
dishonesty.

phemy and heresy.¹ Yet, but for the army, the power to issue such Ordinances would soon pass out of their hands. On the day on which this atrocious instrument of persecution was given to the world, news arrived that on April 28 Sir Marmaduke Langdale followed by a party of Royalists from Scotland, had surprised Berwick, and that another party had surprised Carlisle on the 29th. On May 1, Sir Philip Musgrave, a Cumberland baronet, who had been governor of Carlisle for the King in the former war, returned to his old post. Both Langdale and Musgrave entered into an obligation to surrender to the Scots the places they occupied whenever they were called upon to do so.²

This evil news was followed on May 3 by the delivery of a letter written in the name of the Scottish Parliament, in accordance with its resolutions voted on April 11,³ with an intimation that the messenger would wait no more than fifteen days for a reply. The letter demanded that all Englishmen might be compelled to take the Covenant, that the Presbyterian government might be settled, heresies and schisms, including the Book of Common Prayer, suppressed, and Popery and prelacy exterminated. The King, moreover, was to be brought to one of his houses near London, with a view to the opening of negotiations, whilst the excluded members were to be re-admitted to their seats, and the army of Sectaries disbanded.⁴

The Hamilton party, from which this summons

¹ *L.J.* x. 240.

² *Perfect Occurrences*, E. 522, 25; *The Declaration*, E. 438; Musgrave's narrative, *Clarendon MSS.* 2,867. I have taken the date of the seizure of Berwick, which is variously given, from the last source.

³ See p. 356.

⁴ Loudoun to the Speaker of the House of Lords, April 26, *L.J.* x. 242.

emanated, had acted prudently in refusing to submit it to the scrutiny of the General Assembly. The demand for the return of the King suited ill with the proscription of the Book of Common Prayer. The movement was a dishonest one from the beginning, cloaking its Royalism in the disguise of Presbyterian zeal. On May 1 Hamilton and five other lords, one of whom was Lauderdale, despatched a letter by Sir William Fleming and Will Murray to the Prince of Wales, formally inviting him to Scotland.¹

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May 1.
The Prince
of Wales
invited to
Scotland.

Though the Presbyterians at Westminster, refusing to bow their heads before the summons addressed to them by the Scots, merely answered that they would send a reply by their own messengers, they nevertheless did their best to show that the interests of Royalism and Presbyterianism were safe in their hands. On May 6 the two Houses concurred in a declaration that they would not alter the government by King, Lords, and Commons; that they would maintain the Covenant, and would readily join the Scots in again presenting to the King the old Presbyterian propositions laid before him at Hampton Court. They however said nothing about enforcing the universal taking of the Covenant or about the removal of the King to the neighbourhood of London.²

May 6.
Declara-
tion of the
Houses.

Surely it might be thought that if those who spoke in the name of the Scottish nation were as seriously Presbyterian as their language implied, they would be satisfied with these terms. So probable did it appear that the English and Scottish Presbyterians would agree that the Independents once more, if report is to be trusted, made application to the King

Will the
Scots
accept it?

¹ Hamilton and others to the Prince of Wales, May 1, *Burnet*, vi. 30.

² *L.J.* x. 247.

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May 8.
Cromwell
at Glou-
cester.

to treat on the basis of *The Heads of the Proposals*, thinking them more agreeable to him than the stringent demands of their opponents.¹

Whether this report was true or not, Cromwell had no part in any fresh attempt to re-open negotiations with the King. He was already far on the way to Wales. On May 8 he reviewed his forces at Gloucester, telling his men that 'he had oftentimes ventured his life with them and they with him against the common enemy of this kingdom,' and that, if they would follow him in this cause, he was ready to live and die with them. His declaration was received with applause. No one in the ranks could doubt that when Cromwell spoke of the common enemy he summoned all who were faithful to him to contend against the King.²

Royalism
in the
Eastern
Counties.

Whilst Presbyterian members of Parliament were hesitating, the tide of Royalism was mounting high. The very Eastern Counties which had pronounced most strongly against the King in 1642, pronounced with no less strength against military rule in 1648. On April 24 a riot broke out at Norwich, in resistance to an officer sent to fetch the Royalist Mayor to Westminster.³ On May 4 a petition from Essex was brought to Westminster by a procession of two thousand men on horse or on foot. It was said to represent the wishes of 30,000 of the inhabitants of the county, who prayed that the King might be satisfied and the army disbanded. The City authorities were no less pressing, and on May 9 the Commons agreed to permit the City to nominate its own com-

April 24.
A riot at
Norwich.May 4.
The Essex
petition.May 9.
Conces-
sions to
the City.

¹ Letter of Intelligence, May 8, *Clarendon MSS.* 2,778.

² Hancock to ———?, May 8, *A Declaration of Lieut.-Col. Cromwell*, E. 441, 16.

³ *Perf. Occurrences*, E. 522, 23.

mittee of militia, and even to appoint a new Lieutenant of the Tower, Fairfax's soldiers, who had hitherto formed the garrison, being withdrawn from the garrison.¹ On the same day, in consequence of the surprise of Berwick, orders were given to Fairfax to march with all haste to the North.²

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Fairfax to
march to
the North.

At head-quarters the Royalist demonstrations caused deep irritation. It is said that the Council of the Army voted on the 5th, 'That neither this king nor any of his posterity should ever reign kings of England.'³ There was, however, an impression amongst the soldiers that the questions at issue must be decided by the sword and not by votes. "I see," wrote one who was at Windsor when it was known that the Tower and the militia had been abandoned to the City, "no honest men daunted at this news."

May 5.
Ill-feeling
at head-
quarters.

May 10.

Those who sought comfort in the field rather than in the senate were soon to have their reward. On the 11th it was known in London that there had been a sharp fight on the 8th at St. Fagans, in the neighbourhood of Llandaff, and that the Welsh, of whom Laugharne now openly undertook the command, had been completely defeated by Horton, before Cromwell had come up.⁴ The effect of the news in London was the greater on both Parliament and City, as the Presbyterians were beginning to fear the consequences of success. It was evident that England was trembling on the brink of a purely Royalist reaction. The Welshmen at St. Fagans bore the motto "We long to see our King" on their hats. In London the mob was shouting for the King, whilst

May 8.
Horton's
victory at
St. Fagans.May 11.
Its effect
in London.

¹ *Perf. Occurrences*, E. 522, 25; ——— ? to Lanark, May 9, *Hamilton Papers, Addenda*.

² *L.J.* x. 244, 249; *C.J.* v. 554, 555.

³ *Merc. Politicus*, E. 442, 21.

⁴ Horton to Lenthall, May 8, *L.J.* x. 254.

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the Essex petition did not contain a word about religion or the Covenant. Those who had distrusted the soldiers most now began to think of them as preservers.¹

May 12.
A message
to Scot-
land.

In spite of the victory at St. Fagans the pressure of impending danger was hardly lightened. On the 12th the Houses made a weak attempt to avert an invasion from the North by directing their commissioners at Edinburgh to inform the Scottish Parliament that Fairfax's march was directed solely against the Englishmen who had seized Berwick and Carlisle.²

Fears of
the City.

Wavering as the City was the Houses could never be secure against a sudden outbreak, and they therefore asked Fairfax to revoke his orders for the removal of the two regiments at Whitehall and the Mews.³

May 12.
Riot at
Bury St.
Edmunds.

Resistance might be expected to break out in any quarter. On the 12th there was a riot at Bury St. Edmunds 'about setting up of a Maypole,' and on the following day the town was held by six or seven

¹ "To observe the strange alteration the defeating of the Welsh hath made in all sorts is admirable. The disaffected to the army of the religious Presbyterians now fawn upon them, partly for fear of you, and partly in that they think you will keep down the Royal party which threatened them in their doors in the streets to their faces with destruction, and put no difference between Presbyter and Independent. . . . When the letters were read in the House of the defeat, how many Royalists hung down their heads and went out, not staying the conclusion! From all which you may see clearly how necessary it is to be alway in action with your army, and if not here, yet elsewhere. . . . I find the people have alway been content to—not only part with money—but to be taken with successes; and the noise of victory running in the ballad is matter for them to prate of. The more wise are put into fear and conformity. This went along with all our victories and wars in France, though they exhausted never so much, so it was fairly carried in raising and faithfully disposed of. The City talk as if they would also join with you against the Royal party, but trust them not, for all that are not fools, except your friends, are for King and Bishops." — ? to — ? *Clarke MSS.*

² Instructions to the Commissioners, May 12, *L.J.* x. 254.

³ *C.J.* v. 558.

hundred armed men. On the 14th the trained bands of the county appeared on the scene, and the insurgents submitted. Yet so uncertain was the position that Whalley was sent down to maintain order and a regiment of foot was told off to follow him.¹

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May 14.
The rioters
submit.

Whatever difference of opinion prevailed amongst the Londoners the vast majority of them were united in detestation of the army, and they took care to show their feelings on May 15, the day appointed for a thanksgiving for the victory at St. Fagans. Never had the City churches been so thinly attended. A wag taking his stand at the door of St. Dunstan's called out to the passers-by that 'if they would come and thanks give, they should have room enough.'²

May 15.
The
thanks-
giving for
St. Fagans.

On the 16th Surrey followed the lead of Essex. A procession of petitioners from that county marched through the City shouting, "For God and King Charles!" As they passed Whitehall, where Barkstead's regiment was quartered, they jeered at the soldiers. When they reached Westminster they sent in their petition to the Houses. From the Lords they received a brief acknowledgment, but they waited in vain for an answer from the Commons. Exasperated at this contemptuous treatment, some of them attacked the sentinels, and attempted to force their way into the House, with shouts of "An old King and a new Parliament!" They were resolved, they said, to have an answer to their mind. In the midst of the uproar the tramp of disciplined soldiers was heard approaching, and at last Major Briscoe at the head of five hundred men pushed his way into Westminster Hall, where the greater part of the crowd was assembled.

May 16.
The
Surrey
petition.

Scenes of
violence.

¹ *Perf. Occurrences*, E. 522, 29; Letter from Bury, May 17, *Perf. Diurnal*, E. 522, 30.

² Letter of Intelligence, May 18, *Clarendon MSS.* 2,786.

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For a moment there was an attempt at resistance, and a sword was thrust through the body of a soldier. The troops, however, soon cleared the hall with push of pike. The petitioners, leaving the floor strewn with their wounded, fled into Palace Yard. Some took refuge in boats, whence they pelted their assailants with coal and brickbats. For some time the soldiers, who had been ordered not to use their muskets, bore the storm of missiles patiently, but in the end, their officers having been struck down, they fired at assailants whom they could reach in no other way. The riot was thus brought to a close, about a hundred of the petitioners having been wounded, whilst some eight or ten were either killed outright or died subsequently of their wounds.¹

The cause
of the
Surrey
petitioners
popular.

There is no doubt that the cause of the Surrey petitioners was popular. In the narratives of the tumult which passed from hand to hand, the soldiers were described as blood-stained butchers, who took pleasure in the slaughter of inoffensive citizens. The cry which the petitioners had raised for an accommodation with the King, the disbandment of the army, and the restoration of the known laws, was widely echoed. Yet even the petitioners, it seems, had not been unanimous in their aims. In a manifesto, published on the 18th, their leaders threw blame on those who had joined their ranks with the design of restoring absolute government, and emphasised their

May 18.
Manifesto
of the
petitioners

¹ Each side gave its own account of the affair. For the soldiers we have *A True Relation*, E. 443, 5; and *A True Narrative*, E. 443, 29. The petitioners state their case in *The Copy of a Letter*, E. 445, 3; and *A Declaration . . . of the County of Surrey*, E. 445, 8. See also on the same side a Letter of Intelligence, May 18, *Clarendon MSS.* 2,786. On the whole I have followed the soldiers' account, which is much more full and definite than the other, and which inspires confidence by the tone in which it is written.

own attachment to the Presbyterian system in the Church and to constitutional monarchy in the State.¹

Amongst the Presbyterians in Parliament the same sentiments prevailed in greater force. Instead of openly declaring for the King, they were bent on once more opening a negotiation with him. The Independents understood the futility of such a policy far too well to offer opposition, or to irritate the Presbyterians in such a way as to drive them into the arms of the Scots.

The key of the situation was in the hands of the City, which had it in its power to paralyse the army by simply maintaining an attitude of passive resistance.² Large numbers of the citizens, however, shared in the distrust of Charles which prevailed at Westminster. Men of business feared with reason that the benefits of a successful rising would accrue to the Cavaliers, and shrank from placing themselves unreservedly in the hands of a King whom even his partisans suspected of dissimulation.³ Under these

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Policy of
the Pres-
byterians
in Parlia-
ment.

Attitude of
the City.

¹ *A Declaration of the County of Surrey*, E. 445, 8.

² See p. 368.

³ "The Scottish compliance of this city will spoil both themselves and the kingdom—the kingdom at present, by corresponding with our task-masters; and themselves in the end, when for this correspondence they will be rewarded with slavery; and this militia which they so dote upon shall again be taken from them and serve to make rods for their own breeches. This hath been often inculcated to them and they seem to be sensible of such an issue, and promise fair that they will—now their militia is granted them—give a stroke for his Majesty with the counties about them, but *credat Judæus Apella, non ego*; for they are led by the nose with their own principles by the Kirk of Presbyters in Scotland, by whose direction it is that they comply thus with the Independent party that Presbytery may be held up upon any terms in England, whilst they make their party good at home in Scotland against the Royal engagers, . . . knowing this, that if the Royalists should prevail in England, then farewell Presbytery, and therefore they admitted of an Independent compliance as the least evil. Thus his Majesty is bought and sold still amongst the factions." Letter of Intelligence, May 22, *Clarendon MSS.* 2,787.

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Advances
of Parlia-
ment to
the City.
The militia
and the
Tower
abandoned
to the City.

circumstances the City lent an open ear to the advances made by Parliament,¹ advances which, on May 18, were completed by the passing of an Ordinance restoring the militia to a committee, nominated indeed by Parliament, but nominated in accordance with the wishes of the City. After this the Houses not only ejected Fairfax's soldiers from the Tower, but gave up the charge of the fortress to the citizens under the command of the man of their own choice, the Presbyterian Colonel West.²

May 19.
The City
declares
for Parlia-
ment,

On May 19 the Common Council welcomed these concessions, declaring its readiness to live and die with Parliament 'according to the Covenant.'³ The Royalists attributed the part taken by the citizens to mere cowardice. "How long," asked one of their pamphleteers, "halt ye between two opinions? If Mammon be God, serve him; if the Lord be God, serve Him. If Fairfax be King, serve him; if Charles be King, restore him."⁴ The City had no enthusiasms, and it could not but perceive that the influence of the middle classes was as much endangered by a Royalist restoration as it would be by the success of the democratic Independents. Accordingly, taking note of the resolution of the Houses to refrain from altering the government 'by King, Lords, and Commons,' the Common Council, on the 23rd, requested Parliament to liberate its imprisoned aldermen and to resume the negotiation with the King.⁵

May 23,
and asks
for a re-
sumption
of nego-
tiations.

May 24.
The
Commons
consent.

On the following day the Commons took this request into consideration. In vain Scot, one of the most decided Republicans in the House, protested against treating with Charles, on the ground 'that it

¹ See p. 372.² *L.J.* x. 262.³ *L.J.* x. 272.⁴ *An Eye-salve for the City of London*, E. 445, 7.⁵ *L.J.* x. 278.

was fitter he should be brought to his trial and drawn, hanged, and quartered than treated with; he being the only cause of all the bloodshed through the three kingdoms.¹ The House resolved that Charles should be asked to consent to a settlement of religion and the militia, and to the recalling of his declarations against Parliament, on the understanding that, as soon as he had yielded on these points, the propositions which he had rejected at Hampton Court should again be laid before him.² As, however, there was not the slightest chance that he would be more yielding now than he had been in the preceding autumn, no one except the Independents, to whom delay was all important, had anything to gain by so fatuous a proposal.

The Royalists, on the other hand, numerous and ardent as they were, were too scattered and disorganised to bring their real strength to bear upon events. Nothing, indeed, could compensate them for their disastrous exclusion from the central position of London. The want of a common leader to whose orders all would be bound to defer was almost equally disastrous. This last defect might indeed be remedied if only the King could regain his liberty. In April, after the discovery of his last attempt, Charles had been removed to another chamber within the castle in which his movements could be more easily watched, as a platform on which sentinels were stationed had been erected beneath his window. Trusty hands, however, conveyed to him instruments with which to cut through the iron bar which would stop his exit through the window, and nitric acid³ to dissolve it if this course should be found necessary;

Condition
of the
Royalists.

April.
Charles
hopes to
escape.

¹ *Merc. Elencticus*, E. 445, 23.

² *C.J.* v. 572.

³ Then known as *Aqua fortis*.

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May 28.
His plan
frustrated.

whilst three of the soldiers stationed on the platform were suborned to assist him in making his way over the defences of the castle. There were, however, many delays, and the scheme had for some time been known in general terms to the Committee of Derby House. The night of May 28 was at last fixed on for the attempt, but in the course of that very day two of the soldiers whose assistance was thought to have been secured for Charles, gave information to Hammond, and the King's hopes were thus a second time frustrated.¹

The
Royalists
in need of
a leader.May 4.
A Scottish
army.

With the King behind stone walls there was no one of sufficient authority to induce the local Royalists to restrain their impatience till the time arrived for simultaneous action. The continued delay in the movements of the Scots was especially trying. It was indeed settled on May 4 that the Scottish army should be 30,000 strong.² The incapable Hamilton was appointed to the command in chief, with Callander for his lieutenant-general. Great efforts were made to induce David Leslie to accept the command of the horse, but the man who had contributed so powerfully to the victory of Marston Moor, and who had crushed Montrose at Philiphaugh, refused to take part in an expedition which was unable to secure the blessing of the Kirk. Money, too,

¹ Hillier's *Narrative of the attempted Escapes of Charles I.*; Barwick's *Life of Barwick*, 380. Charles's letters printed by Hillier are in *Egerton MSS.* 1,533. Those printed by Barwick and some others are in *Egerton MSS.* 1,788. For the story told by Osborne against Major Rolph see *Hillier*, 171. I incline to think with Mr. Hillier that the charge against Rolph of having urged Charles to escape with the intention of shooting him was a pure invention of Osborne's, and that the latter, being an accomplice in the plot for the King's escape, wished to save himself by throwing blame on Rolph.

² *Acts of the Parliament of Scotl.* vi. part ii. 53.

was hard to get, and the denunciations of the clergy were not without effect on the poorer classes. The levies, though pushed forward by the nobility with all their influence, came in but slowly,¹ and the English who had seized Berwick and Carlisle seemed likely to be left to their own resources for a long time to come.

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Slow
progress
of the
levies.

In Wales, too, the course of events was unfavourable to the Royalists. Their defeat at St. Fagans had been effectual, and when, on May 11, Cromwell reached Chepstow² he found no army to oppose him in the field. The war in South Wales, in fact, resolved itself into three sieges—those of the castles of Chepstow, Tenby, and Pembroke. On May 24, Cromwell wrote to express his confident expectation that his task would soon be accomplished.³

May 11.
Cromwell
at Chep-
stow.

Under these depressing circumstances the Royalist leaders in Kent, having made up their minds that an isolated rising would be an act of madness, resolved to await the Scottish invasion and the consequent withdrawal of Fairfax to the North, in the expectation that London, when forsaken by its military guardians would throw in its lot with the King.⁴

May 24.
His con-
fidence of
early
success.

Plans
of the
Kentish
leaders.

The leaders had taken counsel wisely, but they were always at the mercy of some accident which might cause an explosion amongst their excited followers. On May 10 and 11 a special Commission sat at Canterbury to try prisoners accused of having taken part in the disturbances at Christmas.⁵ The Grand Jury, however, not only threw out the bill against them,⁶ but drew up a petition similar to those

May 10-11.
A Kentish
Grand
Jury.

¹ Montreuil to Mazarin, May 16, *Arch. des Aff. Etrangères*, lvi. fol. 385.

² *Perf. Diurnal*, E. 522, 30.

³ *The Last News from Kent*, E. 445, 9.

⁴ *Clarendon*, xi. 25.

⁵ See p. 281.

⁶ *Perf. Diurnal*, E. 522, 30.

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Unpopu-
larity of
the County
Commit-
tee.

presented to Parliament by Essex and Surrey. The County Committee, which at once took measures to suppress the petition, had been unpopular before, and it now found itself exposed to a perfect storm of indignation.¹ According to a widespread rumour, one of its members had declared that two of the petitioners ought to be hanged in each parish, and that horse and foot ought to be brought into the country to burn and plunder.² In the excitement caused by these revelations an impostor, who landed at Sandwich and declared himself to be the Prince of Wales, was received with transports of joy.

May 21.
A rising
in Kent.

On May 21 the storm burst. A popular rising swept away the Parliamentary authorities from the northern and eastern seaboard of the county. Rochester, Sittingbourne, Faversham, and Sandwich were taken possession of by the insurgents in the King's name. On the 22nd a great meeting was held at Rochester, at which many of the local gentry readily agreed to place themselves at the head of the movement.³ The 30th was fixed for an armed gathering of the county at Blackheath in support of the petition.⁴

May 22.
Meeting at
Rochester.May 26.
Progress
of the in-
surrection.

The insurgents did not remain inactive during the days which intervened. On the 26th, one party seized on Dartford, and a second, composed of sympathisers

¹ A letter from a gentleman of Kent, June 15, E. 449, 34.

² *A Declaration of the County of Kent*, E. 445, 10; The Mayor of Rochester to the Houses, May 21, Cary's *Mem. of the Civil War*, i. 422; Four Gentlemen of Kent to Culpepper, May 30, *Clar. St. P.* ii. 404.

³ *Clarendon*, xi. 26, 27, tells a story how L'Estrange, who had been condemned to death for his attempt to seize King's Lynn (see vol. ii. 56), persuaded young Hales to put himself at the head of the movement. Most likely this is substantially true, though it can only have been an episode in the full story. Clarendon omits the important matter of the Grand Jury and the petition.

⁴ *Perf. Occurrences*, E. 522, 31.

from Southwark, took possession of Deptford, where they carried off some guns from a pinnace lying in the river, and planted them on the high road.¹ Not a moment was to be lost if London was to be saved from being swept away by the movement, which might easily spread to Essex and Surrey, the other two petitioning counties.

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Accordingly orders were at once given by Fairfax to provide against the danger. In the evening of the day on which Deptford was seized, Rich's regiment of horse from the Mews, and some companies of Barkstead's foot from Whitehall, crossed and secured Southwark, leaving it to the City trained bands to guard the Houses at Westminster. On the next day Fairfax held a rendezvous on Hounslow Heath. Abandoning, as he must needs do, his intention of marching into the North, he prepared first to meet the danger nearer home. The mere threat of his approach scared the advanced guard of the insurgents, driving them to abandon Deptford, and to fall back on their main body which was by this time established at Dartford.²

Southwark
secured.May 27.
Fairfax at
Hounslow.

On the 29th the Houses received news of an event which seemed likely to convert a local movement into a national uprising. For some time there had been no good understanding between the army and the fleet, and the displacement of Batten had accentuated the dissatisfaction of the sailors with the growing power of the military commanders.³ Batten

May 29.
News from
the fleet.

¹ *The Last News from Kent*, E. 445, 9.

² *The Kingdom's Weekly Intelligencer*, E. 445, 13.

³ "And why after all this . . . I was displaced by a committee at head-quarters at Putney with the advice of their Agitators, I could never understand; nor why I was sent for up by land, as not to be honoured to come in with the ship threatened . . . to have a charge drawn up against me, unless I would instantly lay down my com-

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May 27.
Mutiny of
the fleet.

was a decided adherent of the Presbyterian party, and as a good seaman was highly popular with his men. On the other hand, his successor, Rainsborough, being regarded as the nominee of the army, was dreaded and disliked, and accused of being rough and overbearing, whilst his former desertion of the sea service for a career on land could not fail to tell heavily against him. Unpunctuality in the payment of wages completed the alienation of the crews; and on May 27 six ships lying in the Downs took advantage of Rainsborough's absence on shore to declare for the King, refusing to allow the Parliamentary Vice-Admiral to return on board. Under the guns of these ships the Castles of Deal, Sandown, and Walmer were won for the Royal cause, whilst Dover was straitly besieged, with little prospect of being able to hold out for any length of time.

May 29.
Measures
taken at
West-
minster.

On the reception of these evil tidings, Parliament took the prudent course of appointing the Presbyterian Earl of Warwick, Lord High Admiral, in the hope that he would secure the fidelity of the sailors;

mission, though nothing was objected but my suffering some of the eleven members to go beyond the seas, when all of them had the Speaker's pass:—this, and because I was not of the temper of the army were judged sufficient to have me dismissed, and another—such another—thrust in to be my successor as till then I never imagined would be vice-admiral of a navy.

“My commission thus surrendered, I was presently turned out of Deal Castle, and could not obtain leave for two nights longer, though my wife was then sick and forced from her bed to lie at an alehouse. But how this wrought upon my brethren, the seamen, I hope all my life I shall thankfully remember; they best knew what service I had done; and now beheld mine and their own reward, whereof they expressed a just resentment when all those injuries offered to me were repaid to my new successor, whom they refused to come on board, sent him back to the shore and bid him return to the place from whence he came; it being most reasonable that that man should hold no command who openly professed himself to be a Leveller.” *Declaration of Sir W. Batten*, E. 460, 13.

thus practically setting Rainsborough aside.¹ It was not a moment too soon. The note of triumph was already sounded amongst the Royalists. To-morrow, wrote one of them on the 29th, there will be 20,000 Kentish men on Blackheath backed up by the support of the navy. An equal number was expected from Essex to join forces with them, and a bridge of boats was to be thrown across the Thames to facilitate communications between the two counties. It was not to be supposed—in spite of the concessions recently made by Parliament—that the City would take part against the insurgents.²

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Royalist
hopes.

In the army itself the advantages on the side of a disciplined force contending with armed peasants were more correctly estimated. "The enemy," wrote Barkstead to Fairfax, "still continues at Dartford. They give themselves to be 10,000, but the countrymen lessen every day. Very many officers and soldiers that have formerly served the King come in hourly to them. The discourse among them is that, if the country will not stand to them, they will immediately possess themselves of all the castles and strongholds and thereby secure landing for the Irish, French, and Danes, of whose coming they fondly flatter themselves and the malignant party of the county. These countrymen that are come home do extremely cry out against the gentlemen that did engage them, looking upon themselves as utterly undone, which is the only cause of their coming home, hoping thus to keep their necks out of the halter."³ Exaggerated as Barkstead's view of the case may

A soldier's
view of
the situa-
tion.

¹ Rainsborough to Lenthall, May 27, *Tanner MSS.* lvii. fol. 115; *The Kingdom's Weekly Intelligencer*, E. 445, 13; *L.J.* x. 577.

² Letter of Intelligence, May 29, *Clarendon MSS.* 2,791.

³ Barkstead to Fairfax, May 29, *Clarke MSS.*

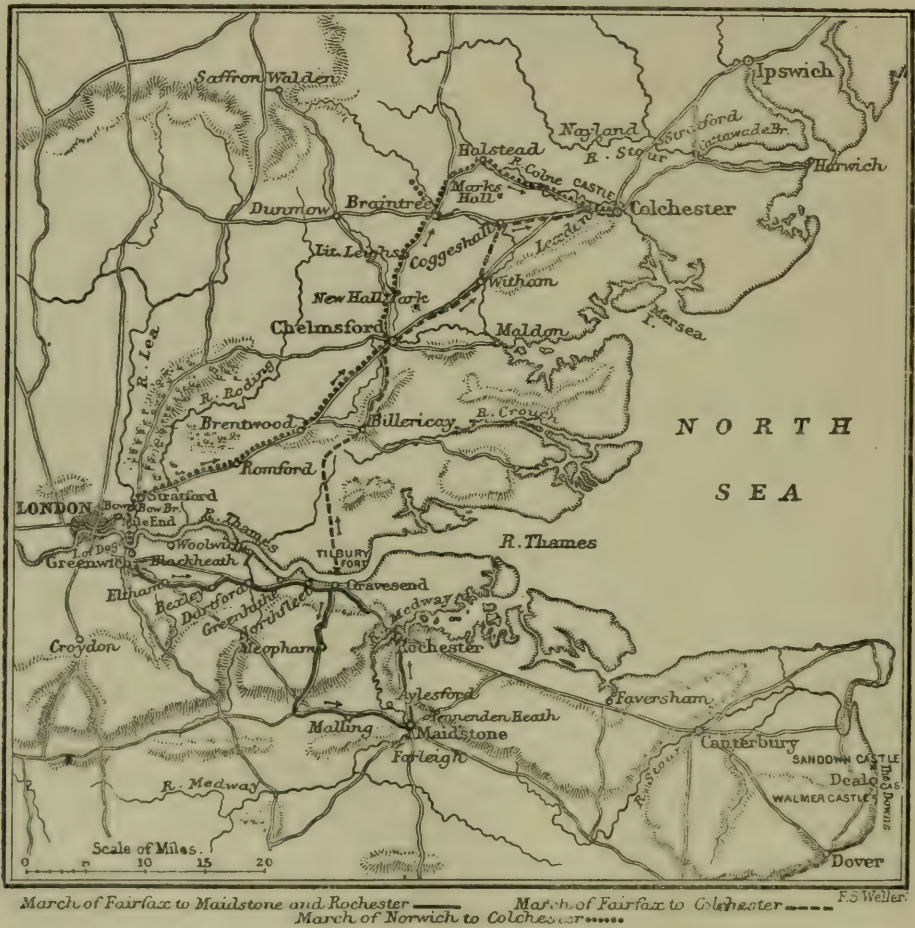
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have been, it had some justification. Many a man in the hostile ranks had been ready enough to follow his landlord to the place of rendezvous, and even to applaud him for standing up against interference with the local independence of his county, without having sufficient enthusiasm to carry him far in resistance to the best-trained army in Europe.

May 30.
Fairfax's
disposi-
tions.

From a military point of view Fairfax's dispositions left nothing to be desired. Having occupied

FAIRFAX'S CAMPAIGN IN KENT AND ESSEX.



Blackheath, the place appointed for the rendezvous of the Kentish men, he sent Major Gibbons through the Weald to the relief of Dover, and placed a strong

force at Croydon to ward off any possible attack on his rear from Surrey. Later in the day he moved forward with the bulk of his army, 8,000 strong, to Eltham, on the way to Rochester, whither the main body of the insurgents had retreated. On the 31st, after clearing away the enemy's outposts occupying the bridge at the bottom of the hill on which Northfleet stands, he pushed on to Gravesend, and threw out a reconnoitring party to observe the position at Rochester. Finding that the drawbridge¹ was raised, and the opposite bank of the Medway strongly fortified, he gave orders to his army to strike southwards across the North Downs, by roads entirely concealed from the sight of the enemy. After a long and wearisome march he fixed his quarters at Meopham for the night. The next morning, continuing his march in a southerly direction, he reached Malling, where he found it necessary to halt for some hours to wait for his infantry, which had necessarily been left in the rear the evening before.

Fairfax at Malling was still concealed from the enemy by the undulations of the hills, and he had before him within easy reach the town of Maidstone, where the Medway, still a mere river, was crossed by a bridge and presented none of those obstacles which lay in the way of an assailant attempting to force a passage across the tidal estuary at Rochester. If the Kentish leaders, however, could not see what had taken place, they must either have derived information from countrymen, or formed conjectures of their own from Fairfax's inactivity in the neighbourhood of Rochester. At all events about mid-day there were gathered some 7,000 men on Penenden Heath,

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He moves
to Eltham.May 31.
The march
to Graves-
end.A recon-
naissance.A flank
march.June 1.
Fairfax at
Malling.

¹ The drawbridge was at the western end of the bridge. Hasted's *Kent*, ii. 17.

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The
Kentish
men on
Penenden
Heath.Prepara-
tions for a
general
rising.Holland
com-
mander-
in-chief.Norwich to
command
in Kent.

the old meeting-place of the shire from immemorial time. On the ground on which Lanfranc had once impleaded Odo, the descendants of the men who boasted themselves unconquered by the Conqueror himself came together to perform—almost in the presence of the enemy—the elementary work of choosing a commander. Any choice from amongst their own ranks would probably have inflamed the jealousy of those who were passed over. Before, however, any election was made a nobleman presented himself claiming the right to command with credentials beyond dispute. The arrangements for the general rising which was intended to follow on the appearance of the Scots in England had been made by the Queen and Jermyn—the medium of communication between the Queen on the one side and the English and Scottish Royalists on the other being that veteran intriguer, Lady Carlisle, who naturally suggested her own favourite, the Earl of Holland, for the supreme command. The little Court of St. Germain had been fatuous enough to accept the proposal, and a commission signed by the Prince of Wales appointed Holland commander-in-chief of the army about to be raised in England.

Mere carpet-knight as Holland was, he had sense enough to know that the premature rising in Kent was a grave misfortune. When, however, the movement had once commenced Holland furnished it with a leader in the person of the Earl of Norwich, the father of the notorious Goring, and himself an old courtier of James I., filling up in his favour a blank commission bearing the signature of the Prince of Wales. Norwich was no more fit than Holland himself to command an army, but his claim to command was at once admitted.¹

¹ *Clarendon*, xi. 5; Hatton to Nicholas, Aug. 29, *Nicholas Papers*,

Norwich took the command about noon. It was four or five in the afternoon when those on Penenden Heath first descried, through their 'prospective glasses,' Fairfax's foremost regiments descending the hill on the western side of the Medway. The Kentish gentlemen indeed had not been neglectful of their duty. All that was possible in purely defensive warfare had been done. A detachment of about 1,000 strong was posted to guard the river at Aylesford, whilst another of some 3,000 men was thrown into Maidstone, where the bridge invited attack. The remainder of the force, consisting of about 7,000 men,¹ remained upon the hill ready to carry help to either detachment as occasion might serve. Not only the streets of Maidstone, but the lanes leading down to the bridge from the side on which Fairfax was approaching, were strongly barricaded, and the hedges lined with musketeers.

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Approach
of Fairfax.

Disposi-
tions of the
Royalists.

At seven in the evening, without orders from Fairfax, the attack upon this formidable position was begun by the impetuosity of the Parliamentary advanced guard. The resistance was obstinate, and before long the garrison of Maidstone was reinforced by a great part of the force stationed at Aylesford. The soldiers of the New Model, however, carried one barricade after another. The fighting was prolonged till midnight, but by that time Maidstone, and with it the line of the Medway, was in the hands of Fairfax.

The attack
on Maid-
stone.

i. 90. Norwich is invariably styled Lord Goring by the Parliamentarians, as they did not acknowledge his earldom conferred since the great seal was carried off in 1642.

¹ Goring's own account says that his army consisted of 'a matter of 7,000 men as they did say,' and 1,000 or 1,500 in Aylesford. He does not give the number of the garrison of Maidstone. *Clarke Trials*, fol. 66. Fairfax puts the field force at 8,000 and 3,000 in Maidstone. *L.J.* x. 304.

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Norwich with his forces on the hill took no part in the combat, and when all was over he rode off to Rochester. Such conduct is only explicable on the supposition, which finds some support in contemporary narratives, that the country people who formed the bulk of the foot had no heart in the struggle, which was only really popular amongst the gentry and the Londoners.¹ Fairfax, it seemed, had to contend against the majority of the landowners and a great part of the middle-class in the towns, not against the bulk of the country population.

June 2.
Dispersal
of the
Kentish
army.

Norwich
makes for
London.

However this may have been, Fairfax had no more serious opposition to fear from the motley forces by which he was opposed. The bulk of the insurgents, on receiving from him promises of good treatment, quietly returned to their homes. Under these circumstances Norwich did not venture to await an attack at Rochester. Crossing the Medway with about 3,000 companions who still remained faithful, he made his way eastwards, heading for London, probably in the expectation that the City would even now declare in his favour. On the evening of the 3rd he reached Blackheath. Fairfax, still having on his hands the pacification of Kent, contented himself with despatching Whalley with a party of horse and dragoons in pursuit.²

¹ *Clarendon*, xi. 25; *The Lord General's Letter*, E. 445, 26; *News from Kent*, E. 445, 27; *The Moderate Intelligencer*, E. 445, 30; *Bloody News from Kent*, E. 445, 36. Fairfax to Manchester, June 2, 4, *L.J.* x. 301, 304. The letter in *Rushw.* vii. 1, 137 is full of blunders, and evidently concocted by someone ignorant of the course of events. Carter, in *A most True and Exact Relation*, makes Fairfax pass the Medway at Farleigh, but this is mentioned by no one else, and is inconsistent with a letter written by T. T. in a pamphlet entitled *A Letter written to Lord Goring*, E. 445, 42.

² Fairfax to Lenthall, June 4, *L.J.* x. 304.

CHAPTER LXIII.

COLCHESTER AND ST. NEOTS.

IF, indeed, the City had opened its gates to Norwich, the course of history would, at least for a time, have been changed. The Presbyterians of the City, however, could not resolve either to trust Charles or to defy him, and fell back upon their old chimera of restoring him to the throne, not on his terms, but on their own. On June 1, before the fight at Maidstone, the City once more called on the Houses to open a personal treaty with the King in which his acceptance of the Covenant would be put forward as an indispensable condition. To this they added a wish that the treaty might be carried on under the protection of the associated trained bands of Middlesex, Essex, Herts, Bucks, Kent, Surrey, and Sussex, that Batten should be restored to the Vice-Admiraltyship, and the imprisoned aldermen released.¹

On June 3, the day on which Norwich was marching on Blackheath, the Commons, dreading above all things to alienate the City at such a time, voted that they would desist from the impeachment, not only of the aldermen, but also of the ten survivors of the eleven members, thus leaving it open to the latter to return to their seats in the House whenever they felt inclined to do so. They further resolved to take into consideration the treaty with the King at the earliest opportunity.² All, however, but the most ardent

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Feeling in
the City.June 1.
The City
asks for a
personal
treaty.June 3.
Impeach-
ments
abandoned.A treaty
with the
King to be
considered.¹ *L.J.* x. 295.² *C.J.* v. 584.

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Presbyterians in the House were too prudent to countenance the proposed association of the trained bands of the home counties, which must, on the one hand, have caused an immediate breach with the army, and, on the other hand, have left Parliament at the mercy of any popular cry for the King's unconditional restoration.¹

Norwich
at Black-
heath.

The hesitation of the Presbyterians to throw themselves unreservedly on the King's side virtually gave the control of affairs into the hands of the Independents. When Norwich reached Blackheath he found no sign of welcome. With the gates of London shut against him, and Whalley's troops pressing on his rear, his position was untenable. A gleam of hope, however, reached him from Essex, where, as he was informed, thousands had risen for the King. Crossing the river alone, he rode off to Chelmsford to ascertain the truth, leaving his deserted followers distracted by panic.² The greater part of them fled hurriedly into Surrey, abandoning their horses and casting away their arms to escape observation.³ About five hundred crossed the Thames in boats, their horses swimming by the side, and on the following morning established themselves at Stratford and Bow, where they were at last rejoined by their commander, who had found no signs of a rising in Essex. Taking possession of Bow Bridge, Norwich cut the

False in-
formation.

A panic.

Some
cross the
ThamesJune 4.
and seize
Bow
Bridge.

¹ "Those at Westminster have done little of late but restored their banished members, and as much as may be pursued the Presbyterian interest, having designed the raising of a new army under the Earl of Denbigh; but in reference to peace or restoring the King, they are as opposite as the Independents." — ? to Lanark, June 13, *Hamilton Papers*, 212. They did not, however, take a division on the new army.

² *Carter*, 102.

³ Com. of D. H. to Gerard and Osborne, June 4, *D. H. Com. Letter Book*, R.O.

communications between Essex and the City, hoping in the first place that London would even yet admit him within its walls, and in the second place that, if that was not to be, he might, by his interposition, give a breathing space to the men of Essex to rally round him.

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Norwich soon found that, though many of the King's partisans stole out of London to fill his ranks, no general movement in his favour was to be expected in the City. Warner, the intrusive Lord Mayor, had the threads of municipal authority in his hands, and Skippon, who commanded the trained bands, was, with all his eagerness for peace, prepared to resist to the uttermost a Royalist movement. On the 4th, Whalley, crossing by London Bridge and establishing himself at Mile End, brought a trained cavalry force to the aid of the party of resistance. So hopeless did Norwich's enterprise appear at Westminster that on the 6th it was believed that he would soon move off to join Langdale in the north.¹

Norwich
loses hope
of gaining
the City.

June 4.
Whalley at
Mile End.

The news from other parts of the country was on the whole favourable to the Parliamentary cause. Towards the end of May Sir Hardress Waller routed a party of insurgents in Cornwall. Early in June Mitton suppressed a rising in North Wales headed by Sir John Owen, who stained his attempt to strike a blow for the King by singular inhumanity to the Parliamentary sheriff of Merionethshire, whom he caused, in spite of his wounds, to be dragged from place to place till he died.² Another party raising

News
generally
favourable
to Parlia-
ment.

¹ Letter of Intelligence, June 5, *Clarendon MSS.* 2,801; *The Kingdom's Weekly Intelligencer*, E. 446, 11; The Com. of D. H. to Lambert, June 6, *D. H. Com. Letter Book*, R.O.

² *Rushw.* vii. 1,130; *Sir T. Payton . . . with divers others taken prisoners*, E. 447, 1.

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troops for the King was surprised and overpowered at Woodcroft in Northamptonshire,¹ and yet another setting out with the same object met with a similar fate in Lincolnshire.² From South Wales, too, came reassuring tidings—Cromwell had laid siege to Pembroke, whilst Chepstow Castle had surrendered on May 25, and Tenby Castle on the 31st.³ But for the policy which had dismantled the greater part of the fortifications in England,⁴ the danger would have been far more serious than it was.

June 1.
Pontefract
Castle
surprised.

What that danger might have been was shown by the case of Pontefract. On June 1, Morris, one of Langdale's officers, disguising a party of soldiers in the garb of peasants, obtained admission into the castle and secured the stronghold for the King.⁵ A considerable part of Lambert's forces would henceforth be occupied with the siege of Pontefract. The rising in Kent had hitherto stood in the way of Fairfax's intended march to his assistance, and if the hopes of a rising in Essex entertained by the Kentish insurgents were fulfilled, he might be detained too long in the south to render his army available against the impending invasion of the Scots.

Fairfax
hopes to
be free.

June 6.
Relief of
Dover
Castle.

June 8.
Surrender
of Canter-
bury.

Kent at least was not likely to detain Fairfax much longer. Even before the fight at Maidstone a rumour had spread in the army that Gibbons⁶ had succeeded in raising the siege of Dover Castle.⁷ Though the report was without foundation, the work was accomplished on June 6 by Rich.⁸ On the 8th Canterbury surrendered to Ireton. The three castles in the Downs—Deal, Walmer, and Sandown—alone

¹ *A Bloody Fight*, E. 447, 2.

² *Rushw.* vii. 1,145; *L.J.* x. 313.

³ *Rushw.* vii. 1,130, 1,134.

⁴ See p. 31.

⁵ *The Declaration of Sir T. Glemham*, E. 446, 29.

⁶ See p. 386.

⁷ *Rushw.* vii. 1,136.

⁸ *A Petition*, E. 522, 38.

held out for the King in Kent. They were, however, being blockaded by Rich, and Warwick, who had found the crews at Portsmouth loyal to Parliament, was sanguine enough to hope that those of the revolted ships would soon return to their duty, and thus deprive the garrisons of the three castles of all support on the side of the sea.¹ Fairfax was therefore at last in a position to carry his army out of Kent.

Already, however, the scene had changed in Essex. On June 4, the County Committee met at Chelmsford, intending to take measures to arrest a Royalist movement which had the support of the leading gentry of the county. The Essex Committee was, however, no more popular than the Committee of Kent, and a crowd under the influence of Colonel Farr, an officer of the trained bands, forcing its way into the room where it was sitting, carried off all its members as prisoners.² At Westminster the alarm was great, and on the 5th the Houses hurriedly passed an Ordinance of Indemnity to all Essex men who had taken part in disturbances in the county, on the direct understanding that the committeemen were to be liberated, and on the indirect understanding that no attempt was to be made to protect Norwich and his followers from the vengeance of Parliament. So little disposed were the country people to side with the extreme Royalists, that when the indemnity was announced at Chelmsford on the 6th the greater part of those gathered in the town showed every disposition to accept the hand held out to them.³

To prevent such a catastrophe, Norwich, leaving

June 4.
The
County
Committee
seized at
Chelms-
ford.

Sir Charles
Lucas
rouses the
trained
bands.

June 5.
An Ord-
inance of
Indemnity.

June 6.
The in-
demnity
meets with
a favour-
able recep-
tion.

¹ Warwick to Manchester, June 6, *L.J.* x. 313.

² The date of this is fixed by the mention of the affair in the Ordinance of Indemnity passed on June 5 (*L.J.* x. 306) in consequence of a letter from Chelmsford dated June 4, *C.J.* v. 585.

³ *An Exact Narrative*, E. 448, 18.

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June 7.
Norwich
at Chelms-
ford.June 8.
Sir Charles
Lucas wins
the Essex
men.June 8.
A rendez-
vous at
Brent-
wood.June 9.
The
Royalists
at Chelms-
ford.

his troops behind him under Sir William Compton, hurried to Chelmsford on the 7th.¹ He there found a powerful advocate in Sir Charles Lucas, a tried and capable soldier who had served in the Low Countries, and had distinguished himself in England in the former war. Lucas now held a commission from the Prince of Wales to lead the forces of the county, and being himself an Essex man, a younger brother of Lord Lucas—whose house hard by the walls of Colchester occupied the site of the ancient abbey—he could speak with a persuasiveness which no stranger could command. The disgrace of abandoning Norwich and his followers to certain ruin was a powerful incentive to action.² Many members of the trained bands who had made up their minds to accept the indemnity, now consented to remain in arms. Norwich returned to Stratford to fetch his men, and on the 8th the two parties met at Brentwood.³

On the 9th the combined Royalist forces established themselves at Chelmsford. Norwich had brought with him a considerable number of apprentices and watermen from London, some of whom had fought at Maidstone, and also a large party of gentlemen who had slipped out to him, amongst whom was probably Sir George Lisle, another distinguished soldier of the former war.⁴ At Chelmsford the Royalists were joined by Lord Capel, who had a commission from the Prince

¹ Carter, *A Most True and Exact Narrative*, p. 115, says that Norwich was at Stratford four days and three nights, which, as he arrived on the 4th, makes the day of his leaving the 7th.

² The Siege of Colchester, *Hist. MSS., Com. Rep.* xii. App. part ix. 20, 21.

³ Carter, 121-124; *Two Great Victories*, E. 446, 23; *The Moderate Intelligencer*, E. 446, 28; *The Kingdom's Weekly Intelligencer*, E. 447, 10.

⁴ There is no definite statement about the time when Lisle joined.

of Wales to command generally in the Eastern Association, and by Lord Loughborough, who had been well known under the name of Henry Hastings as a partisan warrior in the early days of the Civil War. There was good military material at the disposal of the officers, but the force had yet to be subjected to discipline, and more than half of it was still unarmed. Unfortunately for them, Sir Thomas Honeywood, one of the members of the County Committee, who, luckily for himself, had been absent from the meeting at Chelmsford, having gathered together the trained bands from the northern part of the county round his own house at Mark's Hall, near Coggeshall, had swooped down on the county magazine at Braintree, carrying off the arms of which his opponents were in such dire need.¹

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Honey-
wood seizes
the county
magazine.

On the 10th the Royalists advanced towards Braintree, Whalley following closely upon their movements, but not venturing to attack with his inferior numbers. On the way they turned aside to Warwick's house at Leighs, from which they carried off what arms they could find. The night of the 10th and the greater part of the following day they spent at Braintree, where they organised their little army, and took counsel as to their future movements. Their original plan had been to push forward into Suffolk and Norfolk, where the gentry were ready to join them, and where it might be possible to secure a sufficient supply of arms and ammunition from their friends beyond the sea.

June 10.
The
Royalists
at Leighs,and at
Braintree.
June 11.

At Lucas's persuasion, however, the commanders agreed to turn aside to Colchester, not with any intention of taking up a position of defence in the town, but simply in the hope that Lucas's popularity

They
resolve to
march to
Colchester.

¹ *An Exact Narrative*, E. 448, 18.

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Difficulties
in the way.A night
march.June 12.
They are
admitted
into Col-
chester.June 11.
Fairfax in
pursuit.

there might secure them recruits before they pursued their march.¹ To reach Colchester, however, was not so easy. Honeywood with his trained bands blocked their way at Coggeshall, and Whalley, who would probably before long be joined by Fairfax, pressed on their rear. To deceive the enemy they started at nightfall, marching some little way in a north-westerly direction, as though they were bound for the Isle of Ely. Then returning into Braintree they halted for a space, and afterwards resumed their march towards the north-east as far as Halstead. Having thus slipped round Coggeshall, they wheeled to the right and made for Colchester, which they reached in the course of the following day.² Some attempt was indeed made to resist their entry, but there was a Royalist party in the town, and many of the inhabitants, though not precisely to be spoken of as Royalists, were hostile to Fairfax's army, and the gates were thrown open after a short delay.³

If the insurgents expected to continue their march unmolested they omitted to calculate on the swiftness and precision with which Fairfax struck his blows. On the morning of Sunday, June 11, the Parliamentary general, after hearing a sermon at Gravesend, crossed the Thames at Tilbury Fort with what troops he could

¹ *Carter* (p. 129) says distinctly that 'upon Sir Charles Lucas's desire and belief of recruiting there, they concluded to march, but not to stay above a night or two at the most.'

² The account of the siege of Colchester (*Hist. MSS. Com. Rep.* xii. App. part ix. 22) for the first time explains how the Royalists reached Colchester without fighting Honeywood. The author thought, when he wrote, that Fairfax and Whalley had already joined Honeywood on the 11th. Whether this was his own mistake or an unfounded belief in the army at Braintree it is impossible to say. This narrative also explains why the Royalists were so long in covering the distance of about fourteen or fifteen miles between Braintree and Colchester.

³ *An Exact Narrative*, E. 458; *Carter*, 129; *Mr. Round's MS.* p. 77.

gather round him, and then, racked with gout as he was, led them on to Billericay. Impatient of delay, and anxious to hear how it fared with Honeywood, he himself rode on in advance, reaching Coggeshall, probably on the morning of the 12th, where he met Honeywood and Whalley. Then again pushing on with 1,000 horse, which were very likely Whalley's, he arrived in the evening at a mile and a half from Colchester. On the 13th the remainder of his cavalry came up, and about noon Barkstead arrived with his brigade of infantry, having covered about fifty miles¹ in little more than forty-eight hours. Honeywood's trained bands were already on the spot, and altogether Fairfax had at his disposition some 5,000 seasoned troops to oppose to 4,000 newly levied men, of whom scarcely more than half were armed.

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June 12.
He reaches
Lexden.

Though the command of the Royalists was nominally in the hands of Norwich as being of the highest rank amongst the three—himself, Capel, and Lucas—who held commissions from the Prince, the direction of the defence fell practically into the hands of Lucas, the only professional soldier amongst them. Colchester itself was ill-fitted to stand a siege. Its shape is oblong, its walls being built on the lines

June 12.
Prepara-
tions for
defence.

Defences
of Col-
chester.

¹ The distance is about 44 miles as the crow flies from Tilbury Fort to Colchester by Chelmsford. Taking into account the winding of the roads of those days it seems fair to add about six to this number. In *An Exact Narrative* (E. 448, 18) it is said that 'the General with four regiments of horse and five regiments of foot came to Chelmsford on Sunday, and on Monday he marched to Coggeshall.' *A Perfect Diurnal* (E. 448, 23) says that on the 11th of June, 'his Excellency with some half-score of his horse marched from Billobey,' *i.e.* Billericay, 'to Coggeshall, where he found Col. Whalley and Sir T. Honeywood.' Wilson (Peck's *Desid. Cur.* ii. 481) says that he met Fairfax, apparently on the 11th, between Billericay and Chelmsford. I suspect Fairfax slept at Chelmsford, reached Coggeshall the next morning, and then pushed on to Lexden, as I have said, with Whalley's cavalry. Compare *Carter*, 131.

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of those of the old Roman city, and except at one point it had no salient bastion jutting out to allow the defenders to take the assailants in the flank. Nevertheless, an army approaching, as Fairfax's did, by the London Road would be at a disadvantage. The road struck the town at the south-western angle of the town wall, and then ran for some little way under the southern wall till it reached the Head Gate, where it turned in. In this latter part it was commanded by the town wall, and especially by a battery placed on the south-western angle in St. Mary's churchyard. Moreover, the ground which falls away below the southern wall rises again at a short distance outside, and on this higher ground stood Lord Lucas's house, easily defensible, and forming an admirable outpost for the Royalists. On the other hand, the houses of the suburbs spread along the roads and furnished cover to an assailant who came near enough to make use of them.

June 13.
The
Royalist
army.

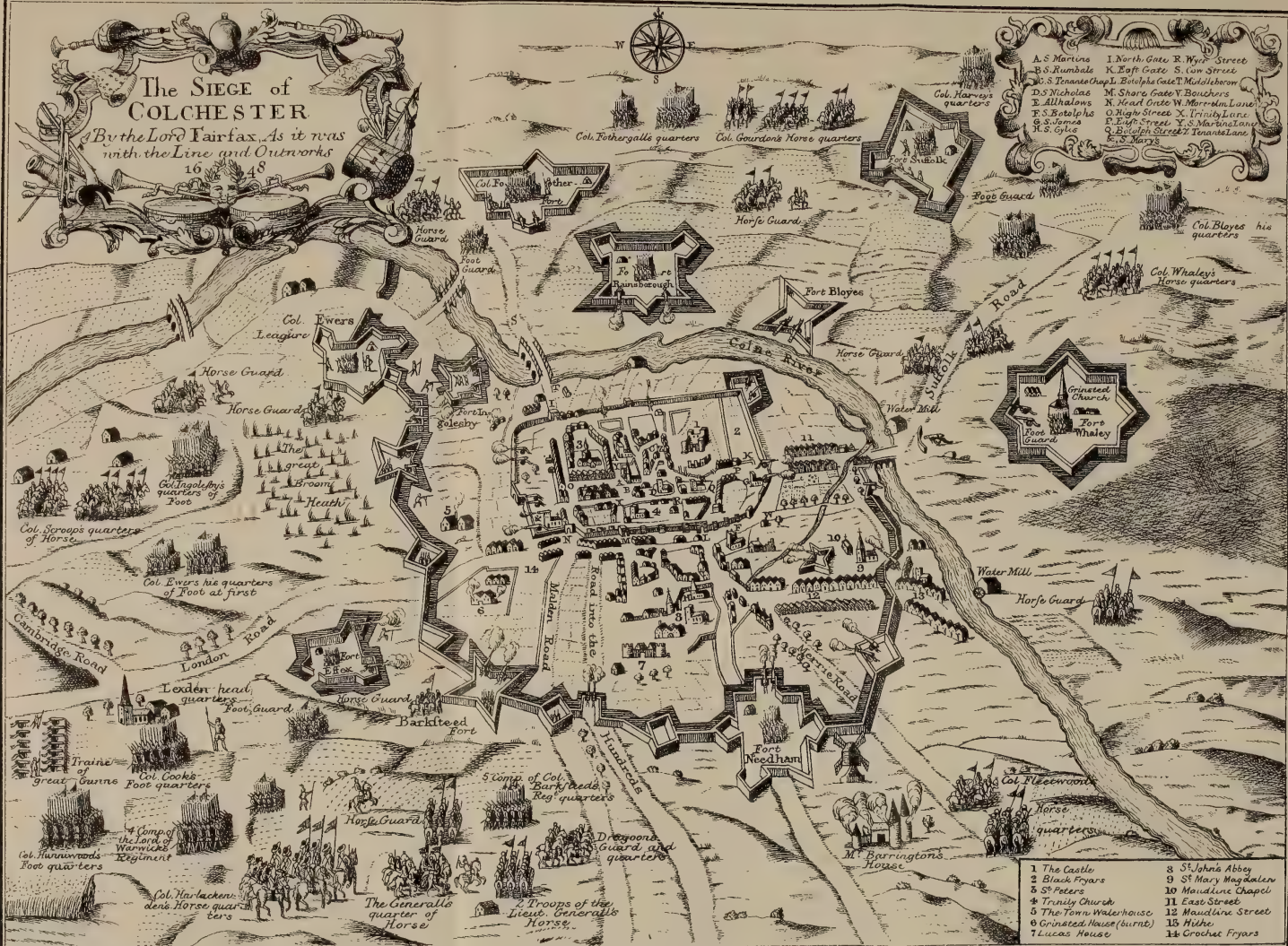
On the 13th Lucas, taking what advantage he could of the ground, drew up his little army across the London Road; the foot, according to usage, in the centre, and his scanty following of horse on either wing. On his right his cavalry was guarded by the sharp dip of the ground towards the Colne. On his left the hedges on either side of the Maldon Road protected his infantry, but his horse which stretched out beyond the foot had no such defence on their flank.

Fairfax's
attack.

To Fairfax it was of the utmost importance not merely to enter Colchester, but to enter it quickly. Hoping to repeat the achievement of Maidstone and to carry the town with a rush, he gave orders for an immediate attack. To his surprise Barkstead's foot in the centre was three times repulsed by the stead-

THE SIEGE OF COLCHESTER

By the Lord Fairfax As it was
with the Line and Outworks
1648



- | | |
|----------------|-----------------------------------|
| A. S. Martins | I. North Gate R. Wynd Street |
| B. S. Rundale | K. East Gate S. Gun Street |
| C. S. Tinsdale | L. Bishop's Gate S. Middle Street |
| D. S. Nicholas | M. Shore Gate V. Bouchers |
| E. S. Altholme | N. Head Gate W. Morrell Lane |
| F. S. Botolphs | O. High Street X. Trinity Lane |
| G. S. Jones | P. East Street Y. S. Martin Lane |
| H. S. Gyle | Q. Bishop Street Z. Tinsdale Lane |

- | | |
|-------------------------|---------------------|
| 1 The Castle | 8 St. John's Abbey |
| 2 Black Friars | 9 St. Mary Magdalen |
| 3 St. Peter | 10 Maudline Chapel |
| 4 Trinity Church | 11 East Street |
| 5 The Town Water-house | 12 Maudline Street |
| 6 Grained House (burnt) | 13 Mude |
| 7 Lucas House | 14 Groch's Friars |

fastness of the Royalist infantry. On his right, however, the Parliamentary cavalry, superior in numbers and discipline, drove the Royalist horse before them, and wheeling to the left, attempted to take the Royalist infantry in flank as Cromwell had taken the King's main body of foot at Naseby. In this, however, they were baffled by the hedges of the Maldon road, which, being lined with pikemen and musketeers, interposed an impenetrable barrier. The necessity for defending these hedges had indeed so weakened the resistance of the Royalists in front that, after their right wing of horse had also been routed, their whole force was compelled to withdraw into the town. Their retreat was, however, completed, the last ranks alone being overpowered and four or five hundred men killed or made prisoners.

Slight as was the advantage gained it inspired Barkstead with confidence that a complete victory was within his grasp. Seeing the Head Gate still open, he pressed inside with the front ranks of his victorious infantry only to fall into a trap which Lucas had prepared for him. For some distance within the gate the street rises. From the top of the slope a body of Royalist horse charged down with all the advantage of the ground upon the assailants, whilst a body of Royalist foot advancing along a lane which led from St. Mary's took them in the flank. The result was decisive. The ever-victorious soldiers of the New Model turned and fled. Then, and not before, Lucas ordered the gate to be closed, fastening the bar, for want of a handy peg, with the cane which he carried in his hand.¹

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Barkstead
enters the
town,

but is
driven out.

¹ The only satisfactory account of this fight is in *Mr. Round's MS.* p. 80. Yet though most of the authorities omit the entrance into the town, there is quite enough corroboration from other sources. The

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Fairfax's
failure.June 14.
He hems
in the
Royalists.The
Suffolk
trained
bands.

Far into the night Fairfax continued his attempt to storm the defences. It was all in vain; and on the morning of the 14th, grasping the truth that a long siege was inevitable, he hastened to prevent the escape of the Royalist horse by placing strong bodies of men on the road leading out of Colchester and urging the Suffolk trained bands to stop the passages over the Stour by guarding the bridges at Nayland, Stratford, and Catawade. These Suffolk trained bands had for some time hesitated in their allegiance, and the Royalists had expected to find them on their side. Like so many others of their class, however, they thought of peace first and of party distinctions afterwards, and agreed to prevent the irruption of the Royalists into their country. Some little time afterwards they were actually induced to take their part in the blockade of Colchester, probably thinking it the shortest way to avert the horrors of war from their own county.¹

Diary attached to the contemporary map, which is the most distinct military authority on the Parliament side, says that Barkstead 'entered the Head Gate, and being overpowered there and out of the churchyard the King's forces barricaded the gate.' *An Exact Narrative* (E. 448, 18) says that 'they were resolutely charged by the Lord General's van . . . who suddenly beat the enemy from their ground and pursued them into the town, and seven colours of ours entered with them, but . . . our men were forced to give back and the town gates were closed on them.' *Merc. Elencticus* (E. 449, 7) makes Lucas use cannon on the hill, which seems incompatible with his use of horse. Compare also — ? to Lenthall, June 14, *Portland MSS.*; *Carter*, 131.

¹ The writer of *The Siege of Colchester* (*Hist. MSS. Com. Rep.* xii. part 9, p. 26) says that the Suffolk men would have supported the King but that 'there came an order from a person whom . . . the Prince of Wales, commissioned to be General of this County,' perhaps Lord Willoughby of Parham, see p. 451—as Lucas, who held a commission in Essex, cannot be intended—'commanding them not to move upon their allegiance; this was a malignant reflection from the Presbyterian party.' Whether this is true or not, it illustrates the bad feeling between Presbyterians and Cavaliers.

In another direction Fairfax was equally successful. He seized Mersea Island with its blockhouse in order to cut off all hostile approach by the Colne. On the 19th three vessels laden with provisions for the besieged attempted to force their way up the river, but they were driven back by the garrison of Mersea, whose efforts were seconded by the arrival from Harwich of two ships in the service of Parliament.¹ Nevertheless, the provisions in Colchester were sufficient to enable resolute men to hold out long, and the besiegers had no resource but to settle down to the work of building forts and repelling sallies.

It was, however, by no means impossible that from some quarter or other succour might arrive. If Norwich and Capel were unable to leave Colchester, Fairfax was equally fixed to his lines of circumvallation round it, and either London or any Royalist county so minded might rise without fear of attack from that terrible army the reputation of which weighed so heavily on all its enemies. Above all, the power of the sea seemed likely to pass into the hands of the King's partisans. It was true that nineteen ships still remained faithful to the Houses, whilst only nine had declared for the King, but the minds of many of the sailors of the nineteen were trembling on the balance, and it would be most unwise to employ such men on active service against their comrades. Moreover, three of the nineteen were needed to guard the entrance to the Colne, whilst eight of the remainder were either at Portsmouth or in the West, leaving only eight available for service in the Thames.²

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Mersea
Island
seized.June 19.
An attack
from the
sea re-
pulsed.A long
siege
expected.Prospect
of succour.State of
the navy.¹ *Diary; A Great Victory*, E. 449, 20.² Derby House Committee, *Day Book*, June 13.

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The re-
volters at
Goree.June 29.
The Prince
of Wales
sets out for
Holland.Cromwell's
siege train
wrecked.Danger in
the North.June 10.
Adjourn-
ment of the
Scottish
Parlia-
ment.
Hamilton
supreme.

For the present, though no immediate danger impended from the action of the navy, there was a possibility of an attack at any moment. The nine revolted ships crossed to Goree in Holland, where they invited the Duke of York to come on board as their admiral. The Duke sent them Lord Willoughby of Parham to command as vice-admiral, and held out hopes that the Prince of Wales would soon be with them. On June 25 the Prince left St. Germain for Holland, travelling by way of Calais.¹

The Derby House Committee naturally took alarm. If the Prince were to land with military stores at Yarmouth or Lynn it would be hard to find the elements of an army capable of resisting him. Not only was Cromwell still detained before Pembroke Castle, but the vessel which carried his siege train had been sunk at the mouth of the Severn by a sudden storm. All the assistance that Cromwell could render was the despatch of a small force to the aid of Lambert in the North.²

It was to the North that the eyes of all English Royalists were now impatiently turning. The cloud long gathering was at last ready to burst. On June 9 the Scottish Parliament gave full powers to its Committee of Estates, and on the next day adjourned its own meetings for two years.³ Hamilton, who was supreme in the Committee of Estates, had now the whole machinery of Government in his hands, and supported as he was by the majority of the nobility, was able to defy the opposition of

¹ Letter of Intelligence, June 21; Goffe to Aylesbury, ^{June 24,} ~~July 4~~; Hyde to Berkeley, July 1, *Clarendon MSS.* 2,817, 2,827, 2,825.

² Cromwell to Lenthall, June 14; Cromwell to Fairfax, June 28, *Carlyle Letters*, lix. lxi.; *A Wonder, A Mercury Without a Lie*, E. 451, 17.

³ *Acts of Parl. of Scotl.* VI. part ii. 102.

Argyle and the clergy. To destroy his influence it would be necessary to raise an armed force against him, and both David Leslie and Argyle, though they had been sounded on the subject, were too prudent to run the risk of appearing in arms against men who had the support of both King and Parliament.¹ Middleton was now definitely appointed to command the horse and Baillie the foot of the new forces.

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Armed with compulsory powers, Hamilton's agents, who usually had at their back the influence of the territorial magnates, found little difficulty in levying men. Fife resisted for a time; but Fife had been sadly depopulated by the slaughter of Kilsyth, and, in spite of the vigour of its Presbyterianism, its resistance could not be prolonged. In Clydesdale, the other great centre of clerical influence, the opposition was stronger, but gave way before the pressure of military force. Sir James Turner, a soldier to the backbone, having been sent to Glasgow to enforce obedience, anticipated the methods by which Louis XIV. afterwards attempted to convert the Huguenots. "At my coming there," to use his own words, "I found my work not very difficult, for I shortly learnt to know that the quartering of two or three troopers and half a dozen musketeers was an argument strong enough in two or three nights' time to make the hardest-headed Covenanter in the town to forsake the Kirk and to side with the Parliament." A little later a body of 2,000 men collected at Mauchlin to resist the levies, but were routed by Middleton without difficulty, after which all open resistance came to an end.²

Useless
opposition
to the
levies.Fife gives
way.Sir James
Turner at
Glasgow.Middleton
at Mauch-
lin.

As to the next step to be taken there was some

¹ Montreuil to Brienne, June 1st 1648, *Carte MSS.* lxxxiii. fol. 292b.

² Turner's *Memoirs*, 53, 55; Baillie, iii. 47.

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Difference
of opinion
amongst
the leaders.A rendez-
vous ap-
pointed.Will the
English
officers
take the
covenant ?Holland's
designs
known.

difference of opinion amongst the leaders. Lanark proposed that they should push their advantage home, and crush Argyle's party before setting out for England. Lauderdale was for an immediate advance southwards, and Hamilton, giving way to his urgency, appointed a general rendezvous to be held at Annan on July 4.¹ An advance into England was indeed necessary if the English Royalists of the northern counties were not to be driven to despair. Lambert, who had been recently joined by Ashton with the Lancashire forces, had driven Langdale into Carlisle, and was threatening to besiege the place.

Already the double-dealing which was at the bottom of Hamilton's adventure was causing embarrassment. The Committee of Estates had forwarded to Langdale and the other English officers the draft of a letter which they called upon them to sign, inviting the Scots to enter England 'for the ends of the Covenant.' Langdale refused either to sign it himself or to ask his officers to sign it, and in the end it was returned with no more than twelve signatures appended.²

In spite of these divergencies a Scottish invasion, if it could be made to coincide with a Royalist explosion in England, would be truly formidable. The Queen, however, had rendered this the more difficult by placing the control over the movement in the hands of Holland. Those by whom the general thus appointed was surrounded had not the art of keeping a secret, and during the last fortnight in June scarcely a day passed without some fresh revelation reaching the Committee at Derby House. It was thoroughly well known that Holland had been issuing commis-

¹ *Burnet*, vi. 43.

² Musgrave's narrative, *Clarendon MSS.* 2,867. Compare Turner's *Memoirs*, 57.

sions for listing men, and that plans had been formed at one time for the surprisal of Windsor Castle, at another for the surprisal of the castles at Winchester and Farnham.¹ It was, however, about his proceedings in the City that the greatest alarm was felt. On July 2, it was known that horses were being collected in London and sent out into the country, two or three at a time, in order that they might be in readiness to take part in the coming insurrection. It was expected that in a day or two at least a thousand horses would be smuggled in this manner out of London, and that when this number had been reached an attempt would be made to raise the siege of Colchester. It was also believed that a design had been formed to seize the Tower.²

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July 2.
Horses
sent out of
London.

The Committee promptly issued warrants for the arrest of all who had taken part in these proceedings, and summoned to their aid such forces as they had at their disposition. It happened that Sir Michael Livesey, with a party of soldiers raised in Kent, and Major Gibbons, with some of the men who had been detached by Fairfax for the relief of Dover,³ were expected to be at Sevenoaks on the evening of the 2nd on their way to quell a disturbance which had broken out at Horsham. Livesey was accordingly directed to hold himself in readiness to meet any danger which might befall, and Captain Pretty, who was in command of a troop of Ireton's cavalry regiment stationed at Windsor, was directed to move eastwards to assist him.⁴

Measures
of the
Derby
House
Commit-
tee.

¹ *Clarendon*, ix. 102. Details are to be found in the Derby House Committee Books, where, however, Holland's name is not mentioned. The informant of the Committee was a certain Alexander Cotton.

² Com. of D. H. to Fairfax, July 2; Com. of D. H. to the Lieutenant of the Tower, July 2, *Com. Letter Book*.

³ See p. 386.

⁴ *Com. of D. H. Day Book*, July 2; Com. of D. H. to Livesey, July 2; Com. of D. H. to Pretty, July 2, *Com. Letter Book*.

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July 3.
Disquiet-
ing
rumours.July 4.
Holland
takes the
field,July 5.
and
appears in
arms at
Kingston.July 4.
The
Common
Council
asks that
the King
may come
to London.

On the 3rd, disquieting rumours poured in thickly. The Committee, fearing that Livesey and Pretty might be overwhelmed, wrote hastily to Fairfax to spare at least a troop of horse, and later in the day a second letter, telling him that nothing short of a whole regiment would suffice.¹

With the Parliamentary authorities thus on the alert, the Royalist leaders had no choice open to them but to take the field prematurely. The Earl of Holland, accompanied by the Duke of Buckingham and his younger brother, Lord Francis Villiers, left London in the evening of the 4th and appeared in arms at the head of a party of Royalist gentlemen in the streets of Kingston. After ransacking the stables of the Parliamentarian gentry, they rode off with the horses they had thus acquired, leaving behind a declaration repudiating absolute monarchy, and declaring for peace and a Parliamentary constitution. Though their followers were for the present few in number, the highest estimate being five or six hundred, the course of events in Essex had shown how easy it was for a small force to swell into an army.²

The danger was the greater on account of the dubious attitude again assumed by the City. On the 4th, the Common Council stamped with its approbation a petition in which the officers of the London trained bands asked that the King might be brought to London to treat in person, and not only reiterated the request made formerly by the City itself, that the London regiments might be amalgamated with those of the neighbouring counties, but asked

¹ Com. of D. H. to Fairfax, July 3, *Com. Letter Book*.

² *L.J.* x. 367; D. H. Com. to Livesey, July 4, 5; Com. of D. H. to Pretty, July 5; Com. of D. H. to Fairfax, July 5, *Com. Letter Book*; Cotterell to Demnan, July 13, *Clarendon MSS.* 2,832; Grignon to Brienne, July 1st, *R.O. Transcripts*; *The Diary*, E. 453, 40.

that the force thus formed might be enabled to take the field by the addition of cavalry. To this petition the Lords heartily consented. The Commons, on the other hand, postponed their answer to a more convenient season.¹

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July 5.
Attitude
of the
Houses.

The Commons, in fact, had two days before taken up a line which they intended to follow in their negotiation with the King. On July 3, they resolved that, if Charles was to be admitted to treat, he must first give his assent to three preliminary propositions, thereby engaging to recall his declarations against the adherents of Parliament, and promising the establishment of the Presbyterian government for three years, and the subordination of the militia to Parliament for ten.² The Lords, indeed, insisted that the negotiation should be unconditional, but with all their zeal for peace, the Commons refused to abandon their requirement of the King's consent to the three meagre demands which they had now made.³

July 3.
Three Pro-
positions
to be pre-
sented.

Would the population of the Southern counties give to Charles's supporters in the field the credit for constitutional intentions which the House of Commons refused to himself? Unless this proved to be the case, Holland's appeal to arms was doomed to speedy failure. Conscious of his own deficiencies as a soldier, he had obtained the assistance of Dulbier, the Dutchman to whom all causes were alike, and who had in his time drilled soldiers both for the elder Buckingham and for Cromwell. Dulbier was probably at-

Holland's
chances of
success.

Dalbier's
experi-
ences.

¹ *L.J.* x. 364.

² *Ibid.* 308.

³ "Il Parlamento," *i.e.* the House of Commons, "non si vuole fidare del Rè in nessun modo, quando bene gli accordasse tutto quello che li domanda dubitando che in sua presenza possa fare sollevare il popolo in suo favore, et così rimettersi nella sua pristina autorità." Salvetti's Newsletter, July $\frac{1}{2}$, *Add. MSS.* 27,962 M. fol. 142.

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A horse-
race to
supply
recruits.

July 6.
Holland at
Reigate.

July 7.

A spirited
chase.

Death of
Lord
Francis
Villiers.

tracted to the present enterprise by the young Duke of Buckingham, whose father he had served. In any case, even if he had been a far better soldier than Holland, he could not accomplish much with 600 horse. His hopes were set on a horse-race, which was shortly to be held on Banstead Downs, as from the concourse attending he could hardly fail to find recruits for the King.

In the meanwhile, horses and arms being still sorely needed, Holland dashed into Reigate on the 6th, hoping to secure the castle, which was at that time in the possession of a thoroughgoing Independent, Viscount Castlemaine,¹ usually known in England as Lord Monson. The townsmen showed no inclination to rally to his side, and on hearing that some of Livesey's troops were approaching, Holland withdrew to Dorking. On the morning of the 7th he attempted to return, but finding that Livesey had himself arrived with reinforcements, he rode off hurriedly towards Kingston.

Livesey at once gave the word to follow. Holland's rear was overtaken at Ewell; and a skirmish on the top of the hill was followed by a chase into Kingston. The Cavaliers, to do them justice, quitted themselves like men. As soon as Surbiton Common was passed the horsemen, drawing up in the lane, kept the pursuing cavalry in check, whilst their own foot made their way in safety into Kingston. Lord Francis Villiers, like a gallant boy as he was, had thrown himself into the midst of the rear guard, which bore the brunt of the attack. His horse having been killed under him he continued to defend himself vigorously with

¹ He was Sir William Monson, Lord Monson and Viscount Castlemaine in the Irish peerage. He was usually styled in England Lord Monson.

his back against an elm tree which rose from a hedge, till one of Livesey's soldiers, slipping to the other side of the hedge, dashed his steel cap off his head and slew him from behind. Few deaths in that blood-stained war struck the imagination of contemporaries with stronger pity than that of the high-spirited youth whose 'rare beauty and comeliness of person' wrung from Clarendon a lament such as might have be-seemed a writer of ancient Greece.¹

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Whether the danger was at an end still depended on the temper of the City. Sanguine Royalists had expected that large numbers of citizens, perhaps even whole regiments of the trained bands, would make their way to Kingston and declare for King Charles.² On the day of the fight the Derby House Committee gave orders that all the boats of the horse ferries over the Thames from Lambeth to Shepperton should be placed under guard at night on the Middlesex side, and that by day none should be suffered to cross except market people and persons employed in the service of the State.³ This state of uncertainty was soon brought to an end. Not only did no new recruits join Holland, but most of those already with him slipped away by degrees, seeking safety in concealment. On the morning of the 8th Holland himself gave up hope. Accompanied by about 200 horse, amongst whom was Buckingham and Dulbier, he pushed on without any clear object in view through

Continued
anxiety
at West-
minster.July 8.
Holland
gives up
hope,

¹ *A True Relation*, E. 451, 30; Aubrey's *Nat. Hist. and Antiquities of Surrey*, i. 46; *Clarke Trials*, fol. 275.

² *Clarendon*, xi. 103. So much may be accepted, especially as it was stated at Holland's trial that the Earl expected 5,000 men from London to join him at the horse-race on Banstead Downs. *Clarke Trials*, fol. 2,676. The military details given by Clarendon are quite incorrect.

³ Com. of D. H. to the Ferries, July 7, *Com. Letter Book*.

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July 9.
and
reaches
St. Neots.July 10.
He is sur-
prised and
captured.Escape of
Bucking-
ham.Dis-
courage-
ment of the
Royalists.July 12.
The Lord
Mayor
scolded.

narrow lanes by Harrow to St. Albans, reaching St. Neots on the evening of the 9th. In the dark hours of the next morning, Colonel Scrope, despatched by Fairfax to intercept the fugitives, burst into the little town. Dulbier was slain as he stood to arms. Holland, roused from sleep, took refuge in the archway of an inn, slamming to the iron gate which barred the entrance in the hope that he might gain time to effect his escape at the back. On this side, however, the broad stream of the sluggish Ouse stopped all passage, and the luckless commander of an abortive insurrection surrendered on condition that his life should be spared. Buckingham, more fortunate or more adroit, found his way safely out of the town in the darkness, and ultimately succeeded in reaching the Continent.¹

Contemptible as the whole affair appears to those who are wise after the event, Holland's capture was a serious discouragement to the Royalists. The Scots especially regretted the failure of a diversion on which they had reckoned. Even the prudent Lauderdale wrote of the disaster as the greatest which had befallen the King's cause.²

The Derby House Committee was proportionately elated. On the 12th, some prisoners from St. Neots having been rescued by a mob in the streets of London, the Committee in right royal style called on the Lord Mayor to keep better order amongst the people, 'who are grown to that insolency as they will be the judges of the actions of their superiors, and

¹ *Clarke Trials*, fol. 256; *The Moderate Intelligencer*, E. 452, 27; *Prince Charles's Sailing*, E. 452, 32.

² Lauderdale to [the Queen?], July 19, Wallis's Deciphers, *Bodl. Lib. Mus.* 203. In a letter of the same date to Lady Carlisle he expressed himself in still stronger terms; but this may have been merely to give pleasure to his correspondent.

take upon them to set at liberty those whom we find just cause to restrain, and openly make themselves parties to that rebellion by defending those who have appeared in it.’¹

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The utter collapse of Holland’s attempt to rouse the country revealed the disinclination of that large mass of the population which was essentially unpolitical to take arms for the King. From henceforward it was known at Westminster that the domestic danger was at an end. If the authority of Parliament was to be threatened now it must be by forces from without the realm, by the armies of the Irish Confederates or the Scottish Covenanters, or by the fleet which the Prince of Wales was about to bring over from Holland.

The domestic danger at an end.

Dangers from without.

The three commissioners sent by the Irish Supreme Council to the Queen and Prince² reached France in April. Of the three, Antrim was steadfast in declaring that no terms of peace would be accepted in Ireland until they had received the approval of the Pope, and that it was absolutely necessary that a Catholic Lord-Lieutenant should be appointed; whilst the other two, Muskerry and Browne, urged Henrietta Maria to appoint Ormond lord-lieutenant without waiting for the Pope’s approbation, and to sanction an understanding between Inchiquin and the Confederates. After some hesitation the Queen gave her decision in favour of the latter policy. With the help of the Marquis of Worcester—better known by his earlier title of Earl of Glamorgan—she pawned what jewels still remained in her hands and thereby raised 30,000*l.* in order that Ormond might be well equipped for his duties in Ireland.³

April.
A fresh negotiation.

May $\frac{3}{13}$

Ormond to go to Ireland.

¹ D. H. Com. to the Lord Mayor, July 12, *Com. Letter Book*.

² See p. 355.

³ *Lord Leicester’s MSS.* fol. 2,213b-2,237.

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May 20.
A cessation
with Inchi-
quin.Rinuccini
excom-
municates
all who
accept it.

Before anything could be done, a crisis occurred in Ireland which made caution necessary. On May 20 a cessation of arms was signed between Inchiquin and the Supreme Council.¹ Rinuccini, who had already made his escape from Kilkenny, replied by launching an excommunication against all who accepted a cessation made with a man stained by the slaughter of Catholics and the desecration and destruction of churches, and declaring that the new league, if it should prove successful, could only end in handing over Ireland to those Presbyterians to whom Charles had bound himself in Scotland. The Council, in return, charged the Nuncio with splitting Ireland into hostile factions and with making settled order impossible, by rendering eternal the existing feud between the two religions. The Supreme Council, in short, saw that Ireland must be united before she could be free; whilst the Nuncio saw no less plainly that the English King could form no bond of union.

The Irish
generals
divided.

The Irish generals were as divided as the Irish people. Clanricarde, Preston, and Taafe placed their swords at the disposal of the Supreme Council; Owen O'Neill threw in his lot with the Nuncio.² Through the whole of the summer of 1648 the Irish armies were occupied with their own intestine disputes. There was little likelihood of their being available for service either in England or against the Parliamentary forces in Dublin, and Ormond's mission to Ireland was, in consequence, indefinitely postponed.

Ormond
remains in
France.May 17
Battle of
Zusmarshausen.

Mazarin, too, upon whose help the Queen had counted, was involved in troubles which rendered it impossible for him to assist her. In the spring, indeed, Turenne's victory at Zusmarshausen, which

¹ *Vind. Cath. Hib.* 88.² *Lord Leicester's MSS.* fol. 1,949-2,090.

bent the haughty spirit of Ferdinand III., had made it almost certain that the end of the war in Germany could not be long postponed. The Dutch, however, by signing a separate peace with Spain, which had been proclaimed on May 26, had strengthened the Spanish government in its determination to persist in its own hostilities with France, now that it was secured against any further attack from the armies and fleets of the Republic. It was of still greater import that an opposition to Mazarin's government was growing up amongst the lawyers of the Parliament of Paris—an opposition which soon afterwards ripened into the political agitation of the Fronde. Anxious as Mazarin might be to weaken the Independent army by sending some small assistance to the Irish or the Scots, it was now evident that he would need for his own purposes all the money he could command.

In another quarter also the English Royalists were doomed to disappointment. The young Prince of Orange, William II., who had succeeded his father as Stadtholder in the spring of 1647, was ardent and adventurous, and in the hope that he would help in the deliverance of his father-in-law, the Committee of Estates had sent Sir William Bellenden into the Netherlands to plead with him for assistance. Bellenden soon found that though the Prince was warlike the commercial oligarchy which held the purse-strings were lovers of peace, and on July 9 reported that nothing beyond fair words was to be had. He had also to tell of a party at the Queen's Court which was eager that the King should owe his deliverance to a Cavalier rising in England rather than to the Presbyterian Scots.¹

Already, however, the die had been cast. On July 8, only two days before the hopes of the Cavaliers

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May 26.
June 5.
Peace
between
the Dutch
and Spain.

Hopes from
the Prince
of Orange.

Bellenden's
mission.

July 9.
His report.

July 8.
Hamilton
enters
England.

¹ Bellenden to Lanark, July 9, *Hamilton Papers*, 228.

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His defects
as a com-
mander.Defici-
encies of
his army.July 16.
The Scots
advance.July 17.
Lambert
falls back
on Bowes
and Bar-
nard
Castle.

were finally extinguished at St. Neots, Hamilton's army crossed the border and occupied Carlisle. He had with him about 10,500 men, little more than a third part of the force on which he had counted, though Langdale was expected to join him with 3,000 more. Hamilton himself had none of the qualities of a successful commander. He suffered himself to be bearded with impunity by Callander, his Lieutenant-General, and only escaped outward humiliation by assuming the appearance of being convinced of the wisdom of whatever proposals were made by his subordinate. His soldiers were raw recruits, and scarcely one out of five knew how to handle a musket or a pike, whilst his cavalry had yet to learn how to keep their seats. Artillery he had none, and he was so short of money that his men were driven to plunder the country round Carlisle, thereby alienating the English population on whose help he had counted.¹

Such an army could not advance rapidly. Its first forward movement was delayed till the 16th. Lambert, good officer as he was, fell back with his small force, skirmishing wherever a strong defensive position was to be found. Leaving a garrison in Appleby Castle, he quartered his men at Bowes and Barnard Castle, where he hoped to be able to hold the Stainmoor Pass, which rises with a sharp ascent from Westmoreland, and to find support from reinforcements summoned to his aid from Yorkshire. The Scots, on their part, leisurely established themselves at Kirkby Thore, awaiting the arrival of ammunition and reinforcements. In addition to the levies still to be raised for them in Scotland, they expected to be joined by 3,000 men who were to be brought

¹ *Burnet*, v. 49-51; *A Declaration from Scotland*, E. 453, 5; *Turner's Memoirs*, 59.

from Ireland by Sir George Monro, the nephew of Major-General Robert Monro, the commander of the Scottish forces in Ulster.¹ This enforced leisure was utilised by them in the siege of Appleby Castle.

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For some time Hamilton had been in expectation of money and arms from France, and of the landing of the Prince of Wales in Scotland. About the middle of July Sir William Fleming arrived from the Queen, with but a small supply of arms and no money at all. He announced that the Prince of Wales would only come on condition that he was allowed to use the English Prayer Book in his public devotions. To this were added other stipulations of which we only know that they were considered scarcely less obnoxious by the Scottish leaders.²

Sir
William
Fleming
in Scot-
land.

Conditions
of the
Prince's
coming.

If these conditions were brought to light, Hamilton's policy would become untenable in Scotland. Already the General Assembly, which had met on July 12, was thundering against him as a traitor to the Covenant. In vain Lauderdale, who more than any other man in Scotland represented the insurrection of the lay feeling against clerical predominance, struggled to avert open division. He was proud of his country and of the part which he expected to see his country take. "It is Scotland," he wrote, "and Scotland only, can save the King and England. All others have their rise from the expectation of

Hamilton
condemned
by the
General
Assembly.

Lauder-
dale's
hopes.

¹ *A Perfect Weekly Account*, E. 453, 19; *Bloody News from the Scottish Army*, E. 453, 24; *A Bloody Fight in the North*, E. 454, 10; *A True Relation*, E. 454, 14; *Burnet*, vi. 52; Hodgson's *Memoirs in Original Memoirs*, 113. For the relationship between Sir George and Robert Monro, see Grignon to Brienne, ^{Sept. 28}_{Oct. 8}, *R.O. Transcripts*.

² Lauderdale to Lady Carlisle, July 19; Lauderdale and Lanark to Jermyn, July 19, Wallis's despatches, *Bodl. Lib. Mus.* 203, pp. 53, 55. These letters were printed on Aug. 16, under the title of *The Design of the Present Committee of Estates*, E. 459, 5.

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Scotland.”¹ It was not so easy to obtain the consent of the more distinctively Scottish part of the nation to an alliance with an Episcopalian king. Scotland was riven in twain, but the spirit of her people was not with Lauderdale and Hamilton.

Hamilton's
danger.

June 28.
Cromwell's
view of the
situation.

The time was rapidly approaching when the strength of an army without either discipline or enthusiasm would be tested by an enemy lacking in neither. Cromwell, indeed, had all Lauderdale's dislike of clerical intolerance, but he had what Lauderdale had not, a perception of the value of free spiritual life to the national well-being. “I pray God,” he wrote to Fairfax, whilst he was still detained by the resistance of Pembroke, “teach² this nation and those that are over us, and your Excellency and all us that are under you, what the mind of God may be in all this, and what our duty is. Surely it is not that the poor godly people of this kingdom should still be made the object of wrath and anger, nor that our God would have our necks under a yoke of bondage; for these things that have lately come to pass have been the wonderful works of God; breaking the rod of the oppressor, as in the day of Midian, not with garments much rolled in blood, but by the terror of the Lord, who will yet save His people and confound His enemies.”³

July 4.
Pembroke
battered,

Cromwell's hours of weary waiting were at last coming to an end. His guns had been recovered from the mud of the Severn,⁴ and on July 4 his batteries opened.⁵ On the 11th Poyer surrendered both town

¹ *The Design of the Present Committee of Estates*, E. 459, 5.

² Carlyle misread this word as ‘that,’ and consequently inserted ‘may discern’ afterwards without MS. authority in order to make sense.

³ Cromwell to Fairfax, June 28, *Carlyle*, Letter lxi.

⁴ See p. 404.

⁵ *Perf. Occurrences*, E. 525, 5.

and castle. He and three other officers were left to the mercy of the Parliament which they had formerly served, whilst seventeen more, who in the last war had fought on the King's side, were to go into exile for two years. All other persons were to be protected against plunder, and to be at liberty to return to their homes. Cromwell was now free to hasten northwards to aid Lambert in his unequal struggle.

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1648
July 11.
and forced
to sur-
render.

CHAPTER LXIV.

PRESTON.

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Difference
between
the feeling
of the two
Houses.July 18.
The Lords
refuse to
call the
Scots
enemies.July 20.
The
Commons
insist on
the three
proposi-
tions.

WHILST Cromwell was on his northward march, opinion at Westminster was divided on the elementary question, whether the Scots were enemies or friends. Whatever the cause may have been, the feeling of the Presbyterian majority in the House of Lords was far more uncompromising in its Royalism than that of the Presbyterian majority in the House of Commons. On July 18 the Peers rejected a declaration in which the Commons had qualified the invaders as enemies.¹ The clashing between the Houses on the subject of the three propositions² had not abated, and on the 20th the Commons insisted upon the danger of entering on a negotiation with the King without previous security. Those, they said, who having taken part in the recent insurrections were now clamouring for an unconditional treaty, would upon that pretence, 'if such a treaty should be yielded unto, press the Parliament to yield up all in that treaty, to the end they may set up an absolute tyranny, that they as instruments' might 'share therein, and repair themselves with the spoil of the Commonwealth.'³

There is some reason to think that the idea of

¹ *L.J.* x. 384.² See p. 409.³ *L.J.* x. 386.

placing the Duke of Gloucester on the throne was under these circumstances revived, as the shortest way out of the difficulty if the attempt to open negotiations with the King should prove abortive.¹ The Lords would hear of none of these things. On the 21st they not only persisted in their rejection of the proposal to declare the invaders enemies, but associated themselves further with the Scottish cause by ordering the publication of a manifesto issued by the Scottish Committee of Estates against toleration either of the sects or of those who used the Book of Common Prayer.² On the 22nd the Commons replied by sending to the press their own declaration that the Scots were enemies, without waiting longer for the approbation of the Lords.³

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Proposal
to make
the Duke
of Glou-
cester
King.July 21.
The Lords
support
the Scots.A Scottish
manifesto.The Scots
declared
enemies.

Obviously the Scottish manifesto was intended to conciliate the support of the English Presbyterians, not to give voice to a policy which no serious man can ever have expected to carry out with Charles upon the throne. Lauderdale indeed could write to Lady Carlisle as if he approved of it in his heart. "I dare," he asserted, "both answer for the honesty of the matter of it, and for the rudeness of the form and language,⁴ for truly it was the work of very few hours, not above four and twenty."⁵ More of his real opinion is doubtless to be found in a conversation which he held about this time with Robert Baillie. "Lauderdale," wrote Baillie, "continues kind to me, and regrates⁶ much the difference between us;⁷ fears it become a fountain of great

Lauder-
dale's view
of the
manifesto.His con-
versation
with
Baillie.

¹ Salvetti's *Newsletter*, July 31, *Add. MSS.* 27,962, M, fol. 144.

² *Declaration of the Committee of Estates*, E. 453, 32.

³ *C.J.* v. 644.

⁴ Did he write it himself?

⁵ Lauderdale to Lady Carlisle, July 8, *Bodl. Lib. Mus.* 203, p. 50.

⁶ *i.e.* regrets.

⁷ *i.e.* between the nobles and the clergy.

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evils, either the overthrow of the design for the King against the sectarists, or the putting up of the malignant party so high that they will hardly be gotten ruled, at best the making of the government of our church, as we exercise it, to be abhorred by all in England and abroad, and intolerable to our own State at home.”¹ Lauderdale’s was the voice of the irreligious statesman attempting to rule the enthusiasms of the world by humouring them. Other men, far less able than himself, perceived that if Hamilton’s enterprise succeeded, it would be to the advantage of the pure Royalists and not to that of the Presbyterian Constitutionalists. “Whatsoever you hear of the Duke of Hamilton declaring,” wrote an English Cavalier, “be confident he is for Episcopacy, and will in time make their kirkmen to know it.”²

Lauder-
dale to go
to the
Prince.

Lauderdale was already appointed to a mission on which his special arts were likely to avail him more than on a public stage. He was to visit the Prince of Wales in the hope of inducing him to come to Scotland, without imposing those conditions which had been declared indispensable by Sir William Fleming.³ The young Charles was now almost in an independent position. He had sailed from Calais on or about July 9, and on his arrival in Holland had been enthusiastically welcomed on board the fleet awaiting him at Helvoetsluys.⁴

July 9?
The Prince
leaves
Calais for
Helvoet-
sluys.

Parties
in his
council.

In the Prince’s council no good understanding prevailed. Culpepper and Hopton headed one party which was ready to make the utmost possible concessions to the Presbyterians, and it had been by their influence that Willoughby of Parham had been named

¹ *Baillie*, iii. 64.

² *Rushw.* vii. 1, 197.

³ Lauderdale to [the Queen?], July 19, *Bodl. Lib. Mus.* 203, p. 61.

⁴ *Clarendon*, xi. 32.

Vice-Admiral.¹ A second party, which gathered round Hyde, wished to see no wavering on the subject of Episcopacy and no concession to the Scots. The supporters of this policy had been treated with studied rudeness whilst still in France by Jermyn, who took the side of their opponents, and Hyde himself had been left to find his own way to Holland as best he might, instead of being allowed to accompany the Prince. Yet, though Hyde was as yet absent, he had the satisfaction of knowing that the cause which he had at heart had found a champion in Prince Rupert.

Between these conflicting factions it was hard for the Prince, now a youth of eighteen, to steer his course. The question of his relations with the Scots might, however, be postponed till Fleming's return, and on the 16th he announced his intention of putting to sea.² On the 17th he gave orders for the issue of a Declaration to the effect that he had taken arms to settle religion in accordance with the terms of the Engagement between his father and the Scots, to restore the King to his throne, and to bring about an act of oblivion and the disbandment of all armies.³

On the 22nd the Prince's fleet was in Yarmouth roads. If he could have established himself in the town so as to form a nucleus for a rising of the gentlemen of Norfolk, things would have gone hard with Fairfax, who was still detained before Colchester. The Prince, however, had no land force with him, and though a large party amongst the townsmen was willing to admit him, the magistrates, supported by a small

July 16.
The Prince
resolves to
put to sea,

July 17.
and orders
a Declara-
tion to be
issued.

July 22.
The Prince
off Yar-
mouth.

¹ The Duke of York being officially Lord High Admiral. Hatton to Nicholas, Aug. 29, *Nicholas Papers*, i. 90.

² The Prince of Wales to Hamilton, July $\frac{1}{2}$, *Hamilton Papers*, 232.

³ Order by the Prince, July $\frac{1}{2}$, *L.J.* x. 399; *Declaration by the Prince*, E. 547, 14.

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July 23.
and makes
for the
Downs.

body of troops, were able to suppress the movement in his favour. Finding that nothing was to be gained by longer stay, he sailed for the Downs,¹ where he found that, though Walmer Castle had surrendered, the castles of Deal and Sandwich continued to hold out for the King.

Dispute
between
the Houses
on an
order
given to
Skippon.

The Prince's approach did not fail to give encouragement to his partisans in the City. On July 22, at the request of the City, the Lords revoked an order given by the Houses to Skippon to raise troops for the defence of Parliament independently of the Committee of Militia.² The Commons, on the other hand, stood by the order given to Skippon; but on the 28th they agreed to a compromise on the more important question of the negotiation with the King, consenting to waive their three propositions if the Lords were willing to fix the place for the treaty in the Isle of Wight instead of in London or the neighbourhood.³ It was said at the time that this compromise was suggested by the Independents, who feared lest if they continued to oppose the treaty they would be swept away by popular indignation.⁴

July 28.
Proposed
compro-
mise on
the treaty.July 31.
An inter-
cepted
letter.

The chance that this compromise would be accepted was much increased by the publication of an intercepted letter from one of Hamilton's agents in London. "We are in this City," declared the writer, "generally right; only Skippon makes some disturbance by listing horse and foot, which, though inconsiderable to what we have listed for us, yet we hope not only to null his listing, but out him from

¹ The Bailiffs of Yarmouth to the Com. of D. H. July 29, *L.J.* x. 399; Com. of D. H. to Hammond, July 27, *Com. Letter Book*.

² *L.J.* x. 379, 389; *C.J.* v. 651.

³ *C.J.* v. 649.

⁴ Grignon to Brienne, Aug. 17, *R.O. Transcripts*.

his being General of this City. The Lords have already done something, but wait for some further encouragement from hence; to which purpose the Common Council are about framing a petition.”¹ This letter reminded the citizens of the danger of bloodshed within their own walls, and without their support the Peers were unable to hold out. On August 1, the day after the letter was read to the Common Council, the Lords accepted the compromise of the Commons.² By fixing the place for the treaty in the Isle of Wight the Commons had at least succeeded in keeping the King at a sufficient distance from London to prevent his throwing himself into the City to head an insurrection against their own authority.

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LXIV.

1648

Aug. 1.
The Lords
accept the
compro-
mise.

Charles at least had no intention of being bound by the manifesto of the Scots. On July 31 he wrote to the Committee of Estates, telling them that though he could not assent to all that they had put forth, he was confident that ‘upon a calm and friendly debate an agreement was easy.’³ As usual, he bound himself to nothing.

July 31.
Charles
declares
himself
not bound
by the
Scottish
manifesto.

Warwick had not yet completed his task of weeding out all the disaffected seamen from the ships under his command,⁴ and it is possible that an immediate attack by the Prince of Wales would have laid London bare on the side of the sea. The Prince, however, was short of money, not having wherewithal to pay his crews. He accordingly resorted to the desperate expedient of seizing merchantmen on their passage

The two
fleets.

Merchant-
men seized
by the
Prince.

¹ W. G. to Sir A. Gibson, July 26. *The Letters . . . and other Papers, which were communicated to the Common Council*, E. 456, 31.

² *L.J.* x. 405.

³ The King to the Committee of Estates, July 31, Cary’s *Mem. of the Civil War*, i. 443.

⁴ Warwick to the Com. of D. H., *L.J.* x. 414.

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1648

July 29.
A letter to
the City.

The City
asks for a
cessation.

Aug. 4.
The
Commons
declaration
against
those who
help the
Prince.

The
Prince's
presence
encourages
declara-
tions for
the King.

July 28 ?
Defection
of Scar-
borough.

through the Downs, and, on the 29th, having secured several prizes—one alone being valued at 20,000*l.*,¹ he wrote to the Common Council asking for that sum to be paid him in support of his patriotic enterprise, adding that on receipt of it he would liberate the captured vessels.²

On reading this letter the City drew up a spasmodic petition to the Houses, asking for the speedy liberation of the King, and for an immediate cessation of arms.³ The Commons were not likely to humour the City merchants by granting so unreasonable a request, and on August 4 they declared all who aided the Prince to be guilty of high treason, not before one member at least had asked that the Prince himself might be included in this condemnation.⁴ After a while, the feeling in the City grew less cordial towards the Prince, who, while posing as a friend, blockaded the Thames and stopped the course of trade.

Though the Prince was not yet in a position to make the attack on the Thames which he had in contemplation, his presence in the Downs served as an encouragement to those who in various quarters were hesitating to declare openly for the King. Before the end of July, Boynton, the Governor of Scarborough, announced his defection from his Parliamentary masters.⁵ It was scarcely less of a calamity that Batten, who had been detained in London by the Derby House

¹ *Whitelocke*, 327.

² The Prince of Wales to the City, July 29, *The Declaration of his Highness*, E. 457, 14.

³ *L.J.* x. 427.

⁴ *C.J.* v. 661; Salvetti to Gondi, Aug. $\frac{4}{11}$, *Add. MSS.* 27,962, fol. 151; ——— ? to Joachimi, Aug. $\frac{11}{11}$, *Add. MSS.* 17,677, S, fol. 176.

⁵ The Mayor of Hull and others to Lenthall, Aug. 3, enclosing a narrative, *Tanner MSS.* lvii. fols. 167, 169.

Committee, had made his escape, carrying with him to the Prince in the Downs 'The Constant Warwick,' one of the best of the Parliamentary ships.¹ As might have been expected, the Prince received the old sailor graciously and conferred on him the honour of knighthood. The vessels comprising the Prince's fleet now reached the number of eleven.²

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LXIV.
1648
Batten
escapes to
the fleet.

In other parts of England the Parliamentary authorities were sufficiently circumspect to avert impending danger. At Portsmouth an attempt made by some sailors to seize the place in collusion with some of the soldiers of the garrison was detected and baffled, and a similar plot discovered amongst the soldiers at Oxford was likewise suppressed. The attitude of the population of Devon and Cornwall was so menacing that, at the request of the Commons, Fairfax countermanded orders which he had given for the withdrawal of two regiments quartered in the West under Sir Hardress Waller.³

An attempt
on Ports-
mouth

A plot at
Oxford.
State of
the West.

That such schemes of revolt should have been even unsuccessfully entertained was sufficiently alarming, and it was hardly possible to guard entirely against them as long as Parliament had no army capable of taking the field in the South of England. As there was little expectation of Fairfax's speedy release, the hopes of Independents and of all who wished ill to the King's cause were fixed on Cromwell, whilst the Royalists took the opportunity of his absence to redouble their machinations against him. When, on August 1, a numerous signed petition for Lilburne's release was presented to the House of

Parliament
needs an
army in
the field
in the
South.

Aug. 1.
The
Commons
vote for
Lilburne's
liberation.

¹ *The Resolution of the Prince of Wales*, E. 456, 2.

² The eleven ships measured 3,690 tons, and carried 274 guns and 1,200 men.

³ *The Kingdom's Weekly Intelligencer*, E. 456, 8; *The Moderate*, E. 457, 21.

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Aug. 2.
The Lords
concur.

Commons it was supported in that House with singular unanimity, and on the 2nd the Lords, no less unanimously, concurred with the Commons.¹ That the two Houses, agreeing in nothing else, should have agreed in this, can hardly be explained, except on the supposition that the Presbyterians expected Lilburne, when once at large, to prove a thorn in the side of Cromwell.²

Major
Hunting-
ton before
the House
of Lords.His
narrative.

The Lords' vote on Lilburne's freedom was promptly followed by the appearance of Major Huntington, who had formerly been in Cromwell's confidence, but who, having persisted in supporting the King after Cromwell had found it hopeless to continue negotiations, had resigned, or probably had been compelled to resign, his position in the army. He now came forward to tell the story, as he understood it, of the relations of Cromwell with the army and the King in the preceding year, drawing the inference that Cromwell had all the time been aiming at supreme power for himself, and had no sincerity in him. Cromwell, he said, had asserted that 'every single man is judge of just and right as to the good and ill of a

¹ *C.J.* v. 657; *L.J.* x. 408.

² "John Lilburne . . . at length is come off with credit, his greatest credit being his late moderation, which wrought so far on the moderate party of both Houses that they all joined together against Cromwell's faction, and voted him a present enlargement. . . . Now then, seeing honest John is got loose, it will not be long ere Mr. Speaker and Noll Cromwell be both brought to the stake; for he means to have a bout with them to some purpose, I can tell you." *Merc. Pragmaticus*, E. 457, 11. "I could," wrote Lilburne in 1649, "at my pleasure have been revenged of him . . . either by divisions in his army . . . or by joining in impeaching him with Major Huntington; which I had matter enough to do, and was earnestly solicited to it again and again, and might have had money enough to boot in my low and exhausted condition to have done it; yet I scorned it." *Legal and Fundamental Liberties*, p. 32, E. 567, 1. As to the quarter from which Lilburne received support we have a statement that Sir John Maynard, one of the eleven members, begged strongly for his liberation. *A Speech by Sir J. Maynard*, E. 458, 2.

kingdom ; that the interest of honest men is the interest of the kingdom ; . . . that it is lawful to pass through any forms of government for the accomplishing of his ends ; and, therefore, either to purge the Houses and support the remaining party by force everlastingly or to put a period to them by force is very lawful and suitable to the interest of honest men ; that it is lawful to play the knave with a knave.'¹

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Huntington's narrative was probably somewhat distorted, but there is no reason to doubt that it was substantially accurate. Cromwell's mind was not cast in a rigid mould, and his expressions uttered at different times and under different circumstances were not to be reconciled with any one political formula. He was never a rigid Parliamentary, and even when he deferred most humbly to the two Houses, it was because he regarded them rather as a necessary source of authority than, as Eliot might have styled them, the mouthpiece of the national will. He would never have urged that 'the interest of honest men' ought in any case to be postponed to the national will, however clearly expressed. As for the startling assertion that Cromwell held it to be 'lawful to play the knave with a knave,' more information than we now possess is needed before any sober judgment can be pronounced upon it. Cromwell was certainly not one of those simple-minded men who wear their hearts upon their sleeves, and he undoubtedly did not think it in accordance with his duty to inform his political opponents what means he was about to adopt to countermine their machinations.

Its general
accuracy.

Those who had hoped to make Lilburne an instrument for the destruction of Cromwell were not long in discovering their mistake. Lilburne at once

Lilburne
attacks
Hunting-
ton.

¹ Huntington's Narrative, Aug. 2, *L.J.* x. 408.

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declared Huntington to have acted basely in accusing another of crimes in which he had himself participated, and in attacking one who was absent in the service of his country. "A coward," said Lilburne in conclusion, "lies upon advantage."¹

Aug. 3.
His letter
to Crom-
well.

Lilburne was not to be induced to damage a man who was fighting against the Scots. With amusing self-sufficiency he wrote a patronising letter to Cromwell, 'lending,' as he said, 'a hand to help him up again, as not loving a Scotch interest.' "To demonstrate unto you," he wrote to Cromwell regardless of grammar, "that I am no staggerer from my first principles that I engaged my life upon nor from you, if you are what you ought to be, and what you are now strongly reported to be; although if I prosecuted or desired revenge for a hard and almost starving imprisonment, I could have had of late the choice of twenty opportunities to have paid you to the purpose; but I scorned it, especially when you are low; and this assure yourself that if ever my hand be upon you, it shall be when you are in your full glory, if then you shall decline from the ways of truth and justice."

Cromwell's
reception
of it.

"This letter," added Lilburne, in his account of the affair, "as I have been told by the bearer,² was very welcome to him."³ Cromwell, without being inordinately grateful, may well have been pleased to find that when an old friend was doing his best to mangle his reputation, an old enemy had stepped forward to take his part, though in a somewhat uncouth fashion.

Whilst the Presbyterians were intriguing at Westminster, Cromwell was steadily pressing on. Sending the bulk of his cavalry forward to strengthen Lam-

¹ *The Moderate*, E. 457, 21.

² *i.e.* Sexby.

³ *The Legal Fundamental Liberties*, p. 32, E. 567, 1.

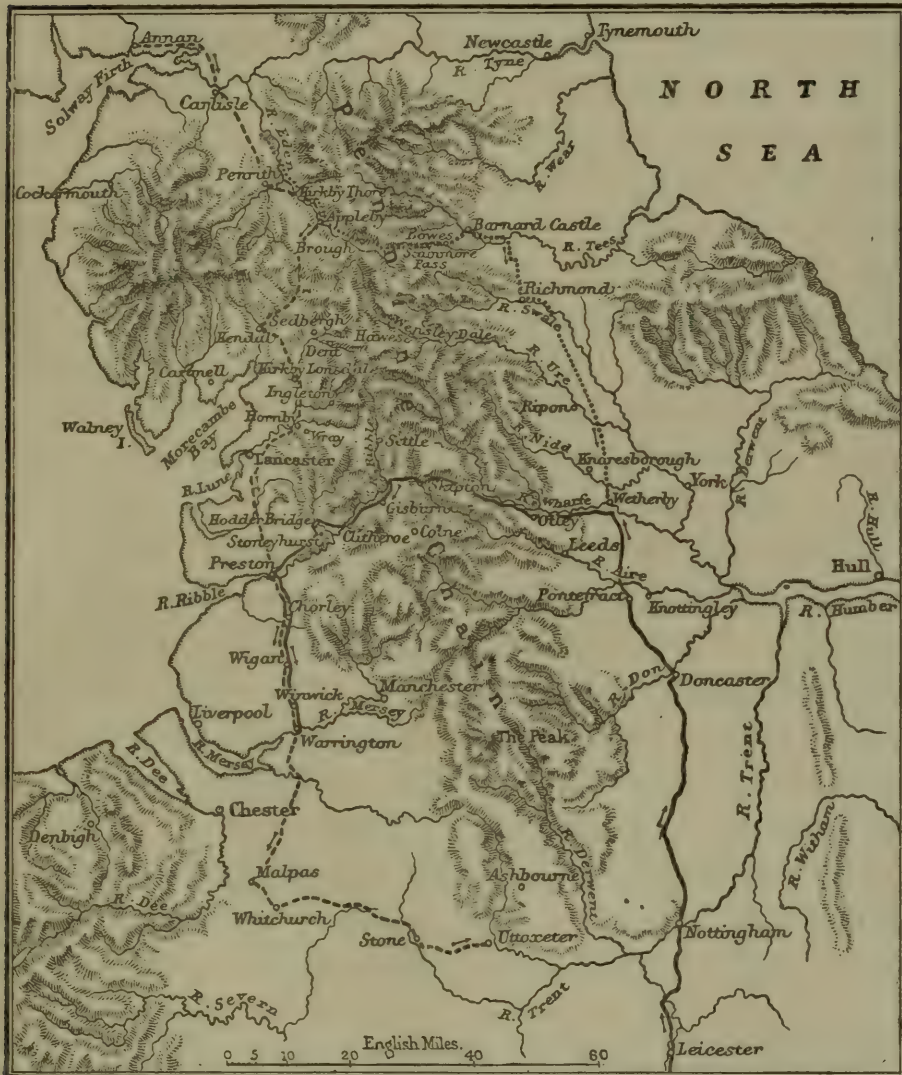
bert, he followed with three regiments of foot, one of horse, and a small party of dragoons. On August 1 he reached Leicester. "Our brigade," wrote one who served under him, "came hither to-day. Our

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Aug. 1.
He arrives
at
Leicester,

CAMPAIGN OF PRESTON.



March of Cromwell —; March of Hamilton.....; March of Lambert.....

F.S. Weller

marches long, and want of shoes and stockings gives discouragement to our soldiers, having received no pay these many months to buy them, nor can we procure any,¹ unless we plunder, which was never

¹ 'nor any can procure' in text.

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1648

Aug. 5.
and at
North-
ampton.Aug. 8.
Cromwell
at Don-
caster.The name
of Iron-
sides.Hidden
dangers.

heard of by any under the Lieutenant-General's conduct nor will be, though they march barefoot, which many have done, since our advance from Wales."¹

Before long, probably at Nottingham on the 5th, the sufferings of the weary soldiers were alleviated by the arrival of 2,500 pairs of shoes from Northampton and of 2,500 pairs of stockings from Coventry.²

As yet Cromwell had no train of artillery with him, and his brigade had therefore to remain at Doncaster from the 8th to the 11th, awaiting its arrival from Hull.³ He utilised the delay by bringing help to the besiegers of Pontefract, driving the Royalists out of the town and cooping them up in the castle.⁴ He had also to conduct an operation from which considerable benefit was likely to accrue to his own command. He left behind him some new levies which had lately joined him from the Midland Counties, and in their place took away with him the old soldiers who had hitherto been carrying on the siege. It was at Pontefract that Cromwell's men were first called by the nickname of Ironsides, a term which had hitherto been appropriated to himself.⁵ It was not, however, an epithet which came into general use for some time to come.

The approach of Cromwell was the more welcome to the few friends of Parliament in the North, as a recent event had brought clearly before their minds

¹ *The Moderate*, E. 457, 21.

² The shoes and stockings had at least arrived before the brigade reached Doncaster on the 8th. *The Moderate Intelligencer*, E. 459, 19. According to *The Moderate*, E. 457, 21, they were expected to be found at Nottingham.

³ Com. of D. H. to Fairfax, Aug. 2, *Com. Letter Book*. At that time Cromwell appears to have expected to reach Doncaster on the 14th, a date which he anticipated by six days.

⁴ *The Moderate Intelligencer*, E. 459, 19.

⁵ *The Resolution of the King's Subjects*, E. 456, 18.

the impossibility of trusting in the fidelity even of men who had hitherto been forward in the Parliamentary cause. On August 9 Henry Lilburne, the Lieutenant-Governor of Tynemouth Castle, a brother of John and Robert, declared for the King. He had been disgusted at the real or alleged plot of some amongst the Levellers to murder the King whilst still at Hampton Court, and was subsequently charged with having given information against his brother John as being concerned in the design.¹ Whatever may have been the motives of his defection, he did not live to tell his own story. In the night, Hazlerigg despatched a party from Newcastle to recover the castle. The assault was successful, and in the dark hours of the morning of the 10th, Henry Lilburne met a soldier's death in defending the post against those by whom it had been entrusted to him.

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Aug. 9.

Henry
Lilburne's
defection
at Tyne-
mouth.

Aug. 10.

He is slain.

It was not, however, by the loss or the maintenance of a single fortress that the great issue could be decided. On July 31 Appleby Castle surrendered to the Scots on honourable terms, and Hamilton, who had at last received reinforcements and artillery from Scotland, and who was expecting soon to be joined by the further reinforcements which Sir George Monro had brought over from Ireland,² felt himself in a condition to advance. On August 2 he reached Kendal, from which place he threw out parties of horse to forage and plunder as far as Dent and Sedbergh. As the way past Dent led into Wensleydale, Lambert, whose position at Bowes and Barnard Castle was thus completely turned, fell back on Richmond in order

July 31.

Appleby
Castle
surrenders.

Aug. 2.

Hamilton
at Kendal.Lambert
compelled
to fall
back.

¹ *The Second Part of England's New Chains Discovered*, p. 6, E. 548, 16; see also a petition to Fairfax from other incriminated persons, who charge Henry Lilburne with bringing false accusations against them, Nov. 28, 1647, *Clarke Papers*, i. 419.

² See p. 417.

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Aug. 3.
He posts
himself at
Richmond,and falls
back on
Leeds.Aug. 8.
Hamilton
still at
Kendal.Langdale's
projects.

to guard Yorkshire against attack. Here, however, he received information which convinced him that it was not through Wensleydale that the Scots would advance.¹ He now thought it certain that they would either march directly southwards through Lancashire, or cross into Yorkshire from Ribblesdale by the valley of the Aire, in order to break up the siege of Pontefract with the help of the Yorkshire Cavaliers.² Holding that the latter movement was far more probable than the former, Lambert retreated from Richmond and took up a position between Knaresborough and Leeds, in which he would be able to await the arrival of Cromwell, and at the same time to check the advance of the Scots against Pontefract so far as it was possible for his scanty forces to hold them back.

To fall on Lambert before Cromwell reached him was entirely out of Hamilton's power. He lingered at Kendal, where, being still without horses and artillery, he seized from the country people such baggage horses as he could find, thereby arousing a feeling of hostility which was not favourable to a speedy advance. The season, too, was against him. The rain poured down incessantly, and brooks easily crossed in other years were now raging torrents. Langdale, impatient of the delay, pushed on to Settle, hoping to win over the governor of Skipton to betray the castle to him, and probably intending, in case of success, to relieve Pontefract. If he could carry with him the sluggish Scots, he might even make his way to the eastern coast, and set free the

¹ *The Moderate*, E. 457, 21; *The Moderate Intelligencer*, E. 457, 33.

² The first mention of the supposed intention of the Scots to pass into Yorkshire is in a letter written from Richmond on Aug. 3, *Perfect Occurrences*, E. 525, 15; but Lambert would not have fallen back unless he had suspected it a day or two sooner.

hard-pressed Royalists at Colchester. "God," wrote Hamilton to him on the 1st, "increase the distraction of London, and send you Skipton, and preserve our friends in Colchester."¹

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1648

In the meanwhile the Scottish army was suffering from internal distractions, which Hamilton was powerless to appease. Monro arrived at Kendal with intelligence that he had brought his contingent from Ireland across the border. His veterans would have been well employed in stiffening the raw levies which constituted the bulk of the main army; but Monro refused to take orders from Callander or Baillie, whilst Callander objected to receive him as an independent commander. Hamilton, after some hesitation, could find no other remedy but to direct Monro to tarry behind, and to form a separate army of four or five thousand men, in conjunction with Musgrave's English force. For all practical purposes Monro might as well have remained in Ireland.²

Monro's
arrival.

On August 9 Hamilton advanced towards Hornby,³ and there settled down once more. He was still there on the 13th when he received a visit from Langdale, who had ridden over from Settle to tell him of the gathering of the Parliamentary forces in Yorkshire, though whether he was aware that Lambert had been joined by Cromwell must remain

Aug. 9.
Hamilton
moves to
Hornby.

Aug. 13.
A council
of war.

¹ Hamilton to Langdale, Aug. 7, *Clarke Trials*, fol. 148. An intercepted letter in which Langdale expressed to Lucas his intention of coming to his aid was printed at the time (E. 457, 20).

² Musgrave (*Clarendon MSS.* 2,869) sets down the combined army as being 'above 7,000' after he and Monro had been joined by the fugitives from Preston. They must, therefore, at this time have numbered about four or five thousand.

³ *A Letter from Holland*, E. 467, 21. This is a long account of the whole expedition written by an English Royalist who accompanied the army, but could not get employment in it on account of his former activity against the Covenant.

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A march
through
Lancashire
decided on.

uncertain. At a council of war Middleton and Turner recommended a movement into Yorkshire to meet the enemy in front; whereas Hamilton and Baillie were in favour of continuing their southern advance through Lancashire. Hamilton held to his own opinion, and as Callander professed himself neutral, the commander-in-chief for once carried his subordinates with him. He seems to have been influenced by the hope that Manchester would declare in his favour, and that Lord Byron, who, after the failure of many schemes for getting the neighbouring fortresses into his hands, was waiting at Llanrwst for the approach of the Scottish army, would prove a valuable ally to the invaders.¹ Of any suspicion of danger from Cromwell's lion-spring across the Yorkshire fells no hint has reached us.

Langdale
moves
towards
Preston.Aug. 16.
Tidings of
Cromwell's
approach.

After this decision Langdale returned to Settle, drew in his forces, and directed them towards Preston, where he was to join Hamilton. On the night of the 16th, according to his own statement, he received intelligence that Cromwell was but three miles off. According to the Scottish authorities, Langdale persistently asserted that he had to do merely with Colonel Ashton and the Lancashire levies. Certainty is in this case unattainable, but it is more probable that the Scottish version is correct, and that Langdale treated the rumour at the time as an idle tale.²

¹ Hamilton's advance to Hornby on the 9th is gathered from a letter written by him on the 8th announcing his intention of moving there. *Clarke Trials*, fol. 146b. See also Langdale's relation, *Chetham Soc. Civil War Tracts of Lancashire*, 267; Turner's *Memoirs*, 62. The writer of the *Letter from Holland* (E. 467, 21) puts the decision to march through Lancashire at Kirkby Thore. Very likely it was discussed at Hornby a second time.

² Compare Langdale (*Civil War Tracts of Lancashire*, 268) with Turner's *Memoirs*, 63, and Burnet, vi. 58. Incapable as Hamilton

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1648

Aug. 13.
Cromwell
sets out.

However this may have been, the rumour was absolutely true. On the 11th Cromwell, having at last received his artillery from Hull, was at liberty to move, and having had ample opportunities of conferring with Lambert during the last few days, he joined forces with him on the 13th between Knaresborough and Wetherby.¹ Even with the addition of the Lancashire forces under Ashton, Cromwell had now under his command no more than 8,600 men, as he was compelled to leave behind two regiments to block up the newly-revolted Scarborough.² He afterwards reckoned the Scots, probably not without exaggeration, at 21,000, or even at 24,000.³ It was, however, no time to count heads. If Hamilton could join hands with Byron, North Wales and the Midlands might be expected to rise to support him, and even the suppressed fires in London might blaze up once more. Terrible stories of Scottish inhumanity, growing in enormity as they passed from mouth to mouth, stung Cromwell to the quick. Hamilton's plunderers, it was said, had

was, it seems incredible that he should have taken no steps to provide against Cromwell's attack, if he had been positively informed that he was close at hand. Burnet says that on the 16th—the 18th is an obvious misprint—'Callander got some hint of Cromwell's joining Lambert.' The writer of the *Letter from Holland* (E. 467, 21) says on the morning of the 17th there was 'no knowledge of any enemy to be near us as yet, only some intelligence came the night before that part of the forces were quartered within less than twelve miles, the which in less than an hour after was contradicted by an eminent person, and so the former discredited.'

¹ Cromwell to Lenthall, Aug. 20; Cromwell to the Committee at York, Aug. 23, *Carlyle*, Letters lxiv., lxv. In *Perfect Occurrences*, E. 525, 17, and *The Moderate Intelligencer*, E. 457, 33, we hear of meetings between Cromwell and Lambert on the 10th and 11th. No doubt Lambert rode over to see his commander and to take his orders before the junction of the forces.

² *The Bloody Battle of Preston*, E. 460, 20.

³ *Carlyle*, Letters lxiv., lxv.

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Cromwell's
march.Aug. 15.
He reaches
Gisburn.Aug. 16.
A council
of war at
Hodder
Bridge.

stripped the cottages on their line of march to the very pothooks, had seized children as hostages for ransom, and had butchered them when their parents were unable or unwilling to pay the sum demanded.

Cromwell's march was conducted in far other guise than Hamilton's. Leaving behind him the artillery, which it had cost him so much trouble to secure, he made his way through the rough Craven country, and on the third day, picking up Ashton's forces on the way, quartered at Gisburn in the Valley of the Ribble. On the 16th, a short council of war was held by the side of the road at Hodder Bridge. Should the army, it was asked, cross the Ribble to the south bank in order to block Hamilton's way across the river as he left Preston, or should it keep on the north bank, and fall upon the enemy in Preston itself? The latter course was adopted on the ground that there was more likelihood of bringing on an engagement this way, as it was supposed that Hamilton would halt at Preston to await the arrival of Monro.¹ Neither here nor anywhere else is there the slightest hint of Cromwell's having formed the strategical plan of attacking Hamilton in flank which has been liberally ascribed to him by modern writers.²

¹ "It was thought that to engage the enemy to fight was our business; and the reason aforesaid"—*i.e.* that Hamilton was likely to halt at Preston to await Monro—"giving us hopes that our marching on the north side of Ribble would effect it, it was resolved we should march over the bridge." Cromwell to Lenthall, Aug. 20, *Carlyle*, Letter lxiv.

² In the first place Cromwell had to go into Yorkshire to meet his artillery; and, in the second place, he must have received his information from Lambert, all of whose movements point to a belief that Hamilton would advance to relieve Pontefract. Lambert fell back on Richmond on August 3, and from that time at least the expectation that he would have to defend Yorkshire must have been foremost in Lambert's mind. It is impossible to show that Cromwell did not provide for the alternative of Hamilton's choosing to advance through Lancashire, but there is no evidence that he did so, and he never takes

In war, as in politics, Cromwell never rose above the simple strategy of finding out the enemy wherever it was most easy to give him battle. That evening he fixed his quarters in Stonyhurst Park. The next day he was to 'put it to the touch, to win or lose it all!'

On the 16th,¹ whilst Cromwell was approaching Stonyhurst, the news of his approach, whether credited or not,² was carried to Langdale and Hamilton. The Scottish army was loosely dispersed for foraging purposes, and on that day Callander and Middleton led the cavalry towards Wigan, some sixteen miles to the south of Preston. Hearing, however, a rumour that Cromwell was not far off, Callander, instead of bringing back his whole force to the support of the infantry, merely retraced his own steps towards Preston to consult with Baillie and the Duke.

On the morning of the 17th Hamilton himself arrived at Preston. Regardless of his danger he directed Baillie with the infantry to cross the Ribble in continuation of the forward march in which the army was engaged. Before Baillie had time to carry out these orders, news arrived that Langdale—who had drawn up his own force, consisting of about 3,000 foot and 600 horse, amongst some enclosed fields lying on the north-west of the town in the line of Cromwell's approach—was being assailed by the enemy. Hamilton accordingly at once countermanded the order given to Baillie, who had not yet crossed the bridge, bidding him remain on the north side of the Ribble to support Langdale, and sending

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Dispersion
of Hamil-
ton's army.

Aug. 16.
The
Scottish
horse
advance
to Wigan.
Callander
returns.

Aug. 17.
Preparing
for battle.

credit for any plan of the kind. In the passage quoted in the last note stress is laid on the importance of bringing on a fight, whilst nothing is said about the advantage of attacking Hamilton on the flank.

¹ Burnet's 18th must be a misprint.

² See p. 436.

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1648

Callander's
advice.

a messenger to Middleton to bring the cavalry back as speedily as possible.

On this Callander, always ready to dispute the prudence of his general's orders, intervened. The infantry, he urged, would be exposed to destruction if they attempted to withstand the enemy without the cavalry. By reverting to the original plan and sending Baillie with the whole body of the foot across the bridge, the junction of the infantry with the cavalry returning from Wigan under Middleton would be hastened, and the whole Scottish army would then have the advantage of fighting with the Ribble in front instead of behind. That this plan would place Langdale and his Englishmen in imminent peril was perhaps of little moment in the eyes of the Scottish nobleman. Either, he argued, the enemy's attack was in force, or it was a mere demonstration. In the latter case Langdale would easily hold his own. In the former, he could easily fall back through Preston and join the Scottish army across Ribble Bridge. Hamilton, as usual, gave way to his overbearing lieutenant, and the Scottish infantry marched across the river, leaving Langdale to his fate. Hamilton was, however, a brave man though a bad general, and gathering round him a small body of horse which had formed the rearguard of his army, and was still in Preston, he rode out to the help of Langdale.¹

¹ According to the *Letter from Holland* (E. 467, 21), "though not suspecting that the whole strength of the enemy was so near hand, he," *i.e.* the Duke, "presently despatched order that Lieut.-Gen. Middleton . . . should with all expedition march there to us with the cavalry, and gave command to Baillie . . . to draw them all in order on the moor, and not to pass the bridge, intending to fight the enemy if need required it. . . . Lieut.-Gen. Baillie causes the foot to stay accordingly; which the Earl of Callander perceiving, he earnestly adviseth that it was safest the foot should forthwith march to their quarters, where they might the sooner receive succour from the cavalry which was on the same side of the river; that the enemy probably had

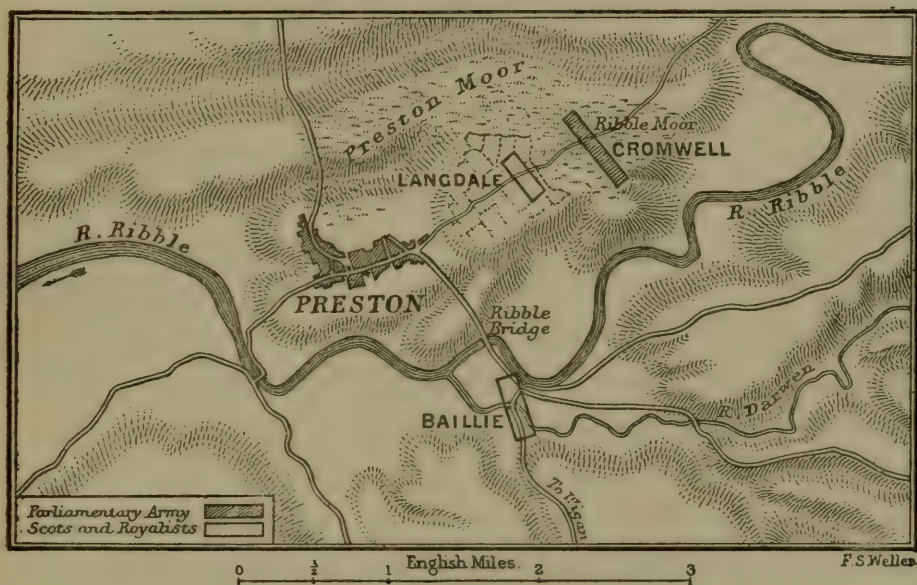
Thus it was that Langdale's 3,600 Englishmen, unsupported except by Hamilton's small body of horse, were exposed to the attack of more than double their number of the best soldiers in the world.

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The battle
of Preston

THE BATTLE OF PRESTON.



His outpost on the moor was soon driven in and his only chance of holding out with the main body lay in the hedges of the enclosed fields in which he had taken his stand. These hedges interposed an in- but an inconsiderable force there wherewith Sir Marmaduke Langdale's forces would be able to deal with the help of part of our horse, that was beginning to advance towards us—not those with Middleton; that in case the enemy had there his whole force he might easily with his horse come about and overrun the foot if they stayed on the moor, they wanting our cavalry to assist them, but if they passed the water, not only they would be in safety, but also Sir Marmaduke—whether the enemy had his whole strength there or not—would by degrees be able to draw off his men to our foot on the other side, and then both forces might join to make good the bridge and fords till our whole horse came thither. These reasons being so weighty, and proceeding from a commander of such repute and long experience in war and Lieut.-General of that army, were assented to by the Duke; so the foot passed the river.” This passage makes the affair intelligible. It agrees with the narrative given by *Burnet*, vi. 60, though the latter avoids all mention of Callander's advice, making him order Baillie to cross the river, and overbear Hamilton's objections by sheer personal determination.

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superable obstacle to any repetition by Cromwell of his tactics at Marston Moor and Naseby. There was indeed a narrow lane through the middle of Langdale's position, at the entrance of which Cromwell posted his own regiment of horse and a second regiment under the fiery Harrison, hoping in the end to send them both by that route to break up Langdale's force when it had once been dislodged from its position. First, however, the enclosed fields on either side must be cleared, and against Langdale's infantry, protected by the hedges, Cromwell hurled his foot regiments as to the storm of a fortress, guarding them with horse on the flanks in view of possible sallies of the enemy. After repeated attempts had been made without success, Cromwell's regiments on the left showed signs of flinching, and Ashton's Lancashire levies were ordered up to restore the fight.

Langdale's
retreat.

By the admission of friend and foe Langdale and his Englishmen fought like heroes. Yet, after four hours' struggle, they were at last compelled to give way and to fall back upon the town. When the hedges were at last cleared the two regiments of horse which Cromwell had set apart for the service, dashing through the lane, followed them into the town, and cleared the streets. Though Langdale personally got safely to Baillie's quarters across the Ribble, the greater part of his infantry surrendered, whilst his horse, together with those who fought under Hamilton, fled northwards and joined Monro. Hamilton himself, who had refused to abandon Langdale as long as he kept the field, only reached the south bank of the river by a ford. Cromwell's musketeers then, posting themselves on the high bank which slopes down on the north side of the Ribble, commanded the bridge, and under the protection of their fire a charge soon cleared it of the enemy. Later in the

The bridge
gained.

evening Baillie and the whole of the Scottish infantry were driven still further south over the Darwen, a smaller stream which joins the Ribble somewhat lower down, and the bridge over the Darwen, as well as that over the Ribble, was occupied by Cromwell.

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When the Scottish army lay down that night its condition was practically hopeless. Not only had it, if Langdale's Englishmen be counted in its ranks, lost 1,000 killed and 4,000 prisoners, but it had ceased to feel confidence in its commanders. The self-sufficient Callander had done as badly as the impressionable Hamilton. He had neither allowed Baillie to support Langdale, nor had he brought up the cavalry from Wigan in time to support Baillie. In the council of war hastily summoned in the night time, Baillie and Turner alone argued for fighting it out where they stood. Callander, who had caused the mischief, was for slipping away in the dark, and his proposal was supported by the other officers.

Condition
of the
Scottish
army.A night
council.

The adoption of this course was fatal to the army which Hamilton still nominally commanded. It was without means of transport, as the peasants who had been compelled to furnish horses had stolen away with them in the dark, and no other baggage-animals could be procured by a beaten army. Each soldier was therefore ordered to take with him as much powder as his flask would hold, and directions were given to blow up what remained after the army was so far on its way that the explosion would not betray its movements. In that army, however, orders were seldom obeyed, and the whole of the ammunition fell uninjured into Cromwell's hands.¹

A fat
resolution.

¹ *Carlyle*, Letter lxiv.; *Turner's Memoirs*, 63; *Burnet*, vi. 60; *Langdale's Narrative*, *Civil War of Lancashire*, 267; *Hodgson's Memoirs in Original Memoirs*. The narrative in *Burnet* reads as if it were either drawn up by Turner or afterwards used by him.

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A night
march.Ashton
left at
Preston.

Hamilton was already three miles on his way before Cromwell discovered his retreat. Cromwell at once ordered Ashton to hold Preston with 4,000 men against Monro and Musgrave. So imminent did an attack from the north appear that Cromwell directed Ashton to put his 4,000 prisoners to the sword if the enemy assailed him. Fortunately for them, Monro, in spite of Musgrave's pleadings, refused to stir.¹ Cromwell himself, who had been reinforced after the battle,² followed Hamilton with 5,500 men, though he reckoned the enemy's force to be still twice that number.

The
pursuit.

In the pursuit Cromwell had to deal, not with Baillie's disorganised infantry, but with Middleton's horsemen, who had at last arrived from Wigan after Hamilton had moved off and now covered the retreat of their comrades. Facing round again and again they drove back the English cavalry, losing, it is true, many prisoners, amongst whom Hurry was one, but inflicting some damage on the pursuers; Colonel Thornhagh, one of Cromwell's best officers, being amongst those killed in one of these attacks.³

Aug. 18.
Hamilton
at Wigan.

The rain had been pouring in torrents throughout the day, and the whole Scottish force was wet and half starved when it reached Wigan on the evening of the 18th. The hungry men fell on the town—Royalist as it was—and stripped it bare. The moon then shone out, and Hamilton ordered another night march, hoping to secure the bridge over the Mersey at Warrington and so to gain time to join Byron in North Wales. On the morning of the 19th Cromwell,

Aug. 19.
The fight
at Win-
wick.

¹ *Carlyle*, Letter lxiv.; Musgrave's relation, *Clarendon MSS.* 2,867.

² There is no direct mention of these reinforcements, but among the regiments left with Ashton were some not named as taking part in the battle. Cromwell and Ashton had now about 1,000 more men than are said to have been with them on the 17th.

³ *A Letter from Holland*, E. 467, 21.

still pursuing, was upon them at Winwick. Fighting in desperation the Scottish army held out for some hours. After a loss of 1,000 killed and 2,000 prisoners, they left the field and continued their retreat.

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On went the chase. At Warrington Hamilton had still with him 3,000 horse and 4,000 foot, and was thus still superior in numbers to his pursuers, but his men were forlorn and spiritless, and he himself with shattered nerves was even less capable of taking a resolution than he had been at Preston. Callander, representing to him that a beaten force of infantry, with a small stock of powder soaked with rain, was a hindrance rather than an assistance, induced him to give, or to allow others to give, orders to Baillie to surrender without making any attempt to defend the bridge. Baillie, when he received the command, was as one distracted. Would not some brother soldier, he asked, put a bullet into his head and save him from this disgrace? Resistance was, however, practically hopeless. Half, at least, of his soldiers had flung away their arms, and those who had retained them were without powder and shot. Baillie, indeed, gave orders to defend the bridge, but his orders were obeyed by no more than 250 men.¹ In the end Baillie did as he was bidden, and 4,000² more captives, together with Warrington and its bridge, passed into Cromwell's hands.³

Hamilton
at Warr-
ington.

Baillie
surrenders.

Hard service and miry ways had worn out the pursuers almost as much as the pursued. The Scots, wrote Cromwell, 'are so tired, and in such confusion, that if my horse could but trot after them I could take them all; but we are so weary we can scarce be

The effects
of hard
service

¹ Attestation, Aug. 22, *Baillie*, iii. 456.

² Baillie says that he had only 2,600 or 2,700, but Cromwell no doubt picked up many stragglers.

³ *Carlyle*, Letter lxiv.; *Burnet*, vi. 62; *Turner's Memoirs*, 64; *Hodgson in Orig. Memoirs*, 120.

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Aug. 20.
Cromwell
turns
north-
wards.His
warning
to Parlia-
ment.Cromwell
not vin-
dictive.

able to do more than walk after them. . . . They are the miserablest party that ever was. I durst engage myself with 500 fresh horse and 500 nimble foot to destroy them all. My horse are miserably beaten out, and I have 10,000 prisoners.’¹

Despatching Lambert in pursuit of the remaining Scottish horse, Cromwell himself turned back northwards to deal with Monro, and to stifle in Scotland any preparations which might be made for prolonging the war. Before he left Warrington he had a warning to address to the Parliament at Westminster. “Surely, sir,” he wrote to Lenthall, “this is nothing but the hand of God; and wherever anything in this world is exalted or exalts itself, God will pull it down; for this is the day wherein He alone will be exalted. It is not fit for me to give advice, nor to say a word what use you should make of this;—more than to pray you, and all that acknowledge God, that they would exalt Him, and not hate His people who are as the apple of His eye, and for whom even kings shall be reprovèd; and that you would take courage to do the work of the Lord, in fulfilling the end of your magistracy, in seeking the peace and welfare of this land; that all that will live peaceably may have countenance from you, and they that are incapable and will not leave troubling the land may speedily be destroyed out of the land.”²

A sterner note was here mingled with the pleadings for liberty of conscience which had sprung to Cromwell’s lips after the rout of Naseby and the surrender of Bristol.³ Yet there was nothing vindictive in his call for the destruction of those who continued to trouble the land. No cry for vengeance or

¹ *Carlyle*, Letter lxv.

² Cromwell to Lenthall, Aug. 20, *Carlyle*, Letter lxiv.

³ See vol. ii. pp. 217, 294.

for retributive punishment of any kind was heard from him.

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The
Scottish
nobility.

Nor did the political side of the strife escape Cromwell's notice. "The greatest part by far of the nobility of Scotland," he wrote, "are with Duke Hamilton."¹ In Scotland, as in England, the question of the supremacy of King or Parliament was giving way to a strife of classes.

Hamilton at least was no longer in case to be the champion of any cause. His wearied horsemen staggered on as best they might. At first they thought of making their way to Byron. Their next hope was to join Sir Henry Lingen, who had, as they believed, risen in Herefordshire. Abandoning this plan after leaving Malpas, they wheeled round to the east, hoping to return to Scotland by fetching a compass wide enough to avoid falling in with their pursuers. As they pressed on they were harassed by the trained bands of the counties through which they passed, Middleton, the most capable of their officers, being taken prisoner on the way.

A dis-
astrous
retreat.

On the 22nd, with rapidly diminishing numbers, Hamilton reached Uttoxeter. There the soldiers mutinied, refusing to go farther. On the 25th Hamilton offered to capitulate to the governor of Stafford. Before the terms had been agreed on, Lambert appeared on the scene. Commissioners on both sides were appointed, and articles of surrender were agreed on and signed. Then Lord Grey of Groby rode in with a body of horse from Leicestershire and seized on Hamilton as his prisoner. Lambert, however, insisted on the observance of the articles signed. Hamilton and all with him were to be prisoners of

Aug. 22.
Hamilton
at Uttoxeter.

Aug. 25.
His capitu-
lation.

¹ Cromwell to Lord Grey of Groby, Aug. 20, *Clarke Trials*, fol. 124.

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Callander
and Lang-
dale ride
off.

war, having 'the lives and safety of their persons assured to them.'¹

Langdale
captured.Callander
escapes.

The day before this catastrophe Callander and Langdale, with such of their followers as they could persuade to accompany them, separated themselves from Hamilton and rode off towards Ashbourne. Callander's Scottish horse, however, soon mutinied and refused to go farther, whilst Langdale and a small party of English continued their journey alone, hoping to escape unnoticed. They were, however, detected not far from Nottingham, and were taken prisoners and lodged in Nottingham Castle. Callander was more fortunate. He succeeded in reaching London, and in due time he made good his escape into Holland.²

Sept. 4.
The
Scottish
prisoners
to be
released
or trans-
ported.

The mass of Scottish prisoners captured in Lancashire were a sore burden upon the resources of Parliament, and on September 4 the House of Commons appointed a committee to make a distinction between those who had taken service under Hamilton by compulsion and those who had taken it voluntarily. Those who belonged to the former—that is to say, the great majority—were to be released on an engagement never again to enter England as soldiers without the leave of the English Parliament. Those who belonged to the latter were to be shipped to the plantations beyond sea—that is to say, to be bound to servile labour under the broiling sun of Barbadoes. When no more were required by the plantations, the remainder were to be despatched to Venice to serve under the Republic.³

¹ *Burnet*, vi. 64; *Turner's Memoirs*, 70; *Clarke Trials*, fol. 107b.

² Langdale's narrative, *Chetham Soc. Civil War Tracts of Lancashire*, 270; *Burnet*, vi. 64.

³ *C.J.* vi. 5.

CHAPTER LXV.

THE SURRENDER OF COLCHESTER.

EVERY Royalist in England knew that the blow struck at Preston had crushed his last hopes. Local risings, even if successful, would no longer be able to look for a delivering army round which to rally. Alone they could accomplish nothing. Lingen, from whom much had been expected, had risen prematurely in Herefordshire, had been chased into Montgomeryshire, and had there been routed on August 17,¹ the day on which Cromwell burst on Langdale from Ribble Moor. A few days later Byron, on his reception of the news from the North, drew back hastily to Anglesea, whence he ultimately made his way to the Isle of Man.²

On no one can the rout of Preston have fallen more heavily than on Lauderdale, who, on August 10, reached the Downs full of confidence in his own powers of persuasion to remove the obstacles which had hitherto stood in the way of the Prince's journey to Hamilton's headquarters. On his arrival he found the Royalists in good heart. The castles in the Downs had been relieved, and news had arrived that the London citizens were collecting money to ransom

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Aug. 17.
Rout of
Lingen.Byron's
retreat.Aug. 10.
Lauderdale
in the
Downs.

¹ *L.J.* x. 686. Webb, in the *Civil War in Herefordshire*, ii. 422, prints Lingen's proclamation with the date of Aug. 22. This must be a misprint for Aug. 12.

² Byron's Relation, *Clar. St. P.* ii. 418.

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Aug. 14.
A repulse
before
Deal.A nego-
tiation
with the
Prince.

the captured vessels.¹ On the 14th, however, a force which had landed to drive off the besiegers under Colonel Rich from before Deal, was itself driven back to the ships with heavy loss.²

In the meanwhile Lauderdale was urging the Prince to submit to the Scottish terms. With the lad himself, eager as he was for action, he found little difficulty. The Prince readily consented to come to Scotland unaccompanied by his proscribed followers, and, though he pleaded hard that an exception might be made in favour of Rupert, Rupert himself declined to be made a bone of contention, and it was finally arranged that he should remain in Holland till the Scots had accepted his professions of friendship. Lauderdale's next proposal that the Prince, as long as he remained in Hamilton's army, should conform to the Presbyterian worship, excited more resistance, Hopton and Gerard declaring strongly against its acceptance. Lauderdale was consequently informed that the Prince could not give the required promise without his father's permission, and that some time must elapse before that permission could be obtained. Lauderdale, who was too shrewd an observer of human nature to be easily baffled, replied that the negotiation with which he was charged admitted of no delay, and that if he could not have an immediate answer he would return to Scotland on the morrow. The future Charles II. was not prepared to sacrifice his inclination to a religious scruple, and on the 16th he formally announced his acceptance of the whole of the Scottish terms.

Aug. 16.
The Prince
accepts the
Scottish
terms.

It was now arranged that the Prince should sail

¹ See p. 426.

² Instructions to Lauderdale, July 2; Lauderdale to Lanark, Aug. 10, *Hamilton Papers*, 232, 237; *L.J.* x. 685.

for Berwick with as little delay as possible, and should make his way from that point to Hamilton's head-quarters, wherever they might happen to be. Lauderdale saw with pleasure that the partisans of the Scottish alliance had gained an ascendancy over the Prince, and that Lord Willoughby of Parham, one of those who pronounced most strongly in its favour, received, in addition to his command of the fleet as vice-admiral, a commission which placed him at the head of the land-forces in Suffolk, Norfolk, Lincolnshire, and in two other counties.¹ Lauderdale's pleasure was the greater as Willoughby assured him that he intended to employ none but Presbyterians, and named the Presbyterian Poyntz as his major-general. Another force, composed of the men of the English regiments discharged from the Dutch service after the peace, was to be despatched to Scarborough to raise the Royalists of Yorkshire, and of these Newcastle was to be the general and Wilmot the lieutenant-general.² It is true that neither Newcastle nor Wilmot professed to be Presbyterians, but they both declared their readiness to favour the Presbyterians and to support the alliance with the Scots.

The success of Lauderdale's mission was bitterly felt by the old Cavaliers, who, after shedding their blood for Church and King, found that they had no favour to expect at the Court of the heir-apparent. "Sir Marmaduke," wrote Lauderdale on the 20th, in ignorance that but three days before the man whom he despised had alone of all Hamilton's officers won honour at Preston, "is not at all valued here." The great Marquis of Montrose was regarded with equal

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Presby-
terian
designs.

Disap-
pointment
of the
Cavaliers.

¹ Their names are not given.

² Lauderdale to Lanark, Aug. 26, *Hamilton Papers*, 248; Sir E. Verney to Sir R. Verney, Sept. 1st, *Verney MSS.*

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Prepara-
tions in
the City.

scorn. "James Graham," continued Lauderdale, "is no acceptable prince in this Court." It was perhaps well for the King that he was immured in Carisbrooke, where such voices could not trouble him. He little thought when he gave his assent to the Engagement that his son would take its empty phrases as a real declaration of policy.

In the City, too, the Presbyterian merchants were again stirring. It was firmly believed on board the fleet in the Downs that what London had failed to do for Norwich or Holland it would do for the Prince of Wales when he unfurled his father's banner in the North. The commanders of the City forces were already named. Major-General Browne, who had recently been chosen Sheriff, was to command the London trained bands. Massey was to be placed in charge of a new body of infantry which was being secretly levied, and Graves in charge of the cavalry which was being got together in a similar way.¹ "The Lords and the City," wrote one of Rupert's correspondents, "understand each other, as also the Reformadoes, that are considerable—8,000 in number."² A simultaneous explosion of all the Royalist forces was, in short, to sweep away the army of Fairfax and Cromwell, and to complete the work which had hitherto failed through the premature and isolated outbursts of individual localities.

Prospects
of the
Royalists.Effect of
the news
from
Preston.

To this hopeful scheme a death-blow was given by the news from Preston and Warrington.³ "The Lord," wrote Lauderdale on the 20th, "send me a good account of our army, for I must confess at this

¹ Lauderdale to Lanark, Aug. 19, 20: Declarations by the Prince of Wales, Aug. 16, 17, 18, *Hamilton Papers*, 239, 250.

² W. Steward to Rupert, Aug. 20, *Rupert Transcripts* in the possession of Mr. Firth.

³ *Burnet*, vi. 71.

distance they go very near to my heart.”¹ A day or two later Lauderdale knew that that army had ceased to exist, and that English Presbyterianism had no longer a rallying-point round which to gather.

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When the tidings from Preston reached Lauderdale the long agony of Colchester was almost ended. For some days after his repulse on June 13,² Fairfax busied himself in raising forts to complete the isolation of the besieged. His weak point was on the northern side of the Colne, as the Suffolk trained bands, which had been ready enough to occupy the bridges over the Stour, in order to prevent a Royalist invasion of their county, were by no means anxious to take part in offensive warfare. It was not till the 24th that, being at last persuaded that in this case their best defence lay in joining Fairfax's attack, they marched into Essex and occupied the high ground commanding the bridge over which the road leads from Colchester in the direction of Suffolk.³ On July 2 the work of circumvallation was completed.⁴

Progress
of the
siege of
Colchester.

June 24.
Fairfax
joined
by the
Suffolk
trained
bands.

All that military art could achieve was done by the besieged under the skilful guidance of Lucas. There were constant sallies, and the artillery within the town did no slight mischief. The temper of the besiegers grew embittered at the prolongation of the struggle, and they freely accused their opponents of using roughened⁵ or even poisoned bullets, judging from appearances which were probably the result of the want of proper appliances for casting. In the

¹ Lauderdale to Lanark, Aug. 20, *Hamilton Papers*, 248.

² See p. 401.

³ *The Diary*.

⁴ *Mr. Round's MS.* p. 87.

⁵ 'Chewed bullets' according to the language of the day. One of these is now in the Museum in Colchester Castle. On a second complaint made later, the Royalist commanders answered 'that for rough cut things they must excuse them, as things stood with them at that time.' *Mr. Round's MS.* p. 90.

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July 14.
Fairfax
gains the
Hythe and
Lucas's
house,July 15.
wins the
gate-house.Attempts
to escape.July 17.
News that
Pembroke
Castle is
taken.Famine
in Col-
chester.

teeth of desperate resistance, Fairfax steadily pressed on, drawing the toils more closely round the town. On July 14 he gained the Hythe, the landing-place for boats arriving from the mouth of the Colne, and on the same day he seized on Lord Lucas's house. On the 15th he stormed the gatehouse of the old abbey.¹ The importance of the possession of this post, which commanded the southern wall of the town,² was acknowledged by the desperate but futile efforts made from time to time by the besieged to cut their way out through the hostile lines,³ and by the constant stream of deserters which began to slip away in spite of all that the Royalist commanders could do to keep them back.

On the 17th the besiegers were gratified with the news that Pembroke Castle had at last been taken, and that, though they were themselves tied to the ground on which they stood, Cromwell was at liberty to betake himself to the North.⁴ By the beginning of August the grim spectre of famine had come to the aid of Fairfax. Inside Colchester the bodies of dogs and horses, swarming as they were with maggots, were greedily devoured, and after the second week in August even this loathsome food began to fail. As usually happens in such cases, the civilian population suffered far more than the soldiers of the garrison. Starving men who, with arms in their hands find themselves in the midst of an unarmed popula-

¹ *Mr. Round's MS.* p. 87, is quite clear on this point. *The Diary* attached to the map speaks of a battery being raised 'against St. John's from the Lord Lucas' House.' The latter authority says nothing about the taking of the house, and I presume that battery was raised after the gate-house was taken on the 15th. The house was in the grounds of St. John's Abbey, but the St. John's which was attacked must have been the church of that name.

² See p. 400.

³ *Mr. Round's MS.* p. 88.

⁴ *The Diary.*

tion, seldom fail to provide first for their own necessities.¹ Whatever latent Royalism there may have been in Colchester, and it is not likely that there was very much,² was quenched amidst the misery of the famine and the insolence of the soldiers, and by the beginning of August the citizens could but look forward with longing to the day of surrender.

Neither Norwich nor Fairfax would give these miserable ones relief so long as Hamilton kept the field. On August 16, a crowd gathered round Norwich, bringing with them their children in the vain hope that the sight of the wan faces and wasted frames of the little ones would melt his heart. Norwich would not abandon the King's cause on account of private sorrows, and on his rejection of the petitioners, the Mayor wrote to Fairfax, begging him to allow civilians to pass his lines. Fairfax replied that 'he pitied their condition, but it did not stand with

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Aug. 16.
Norwich
urged to
surrender.

Fairfax
refuses
to let
civilians
pass.

¹ *Mr. Round's MS.* p. 96. I do not mention the specific acts of outrage recorded in *Colchester's Tears*, E. 455, 16, as that pamphlet was published in London, and, though it professes to derive its information from escaped townsmen, deserves no more credit than other catch-penny productions of the day. The assertion made in it that Lucas was interrupted by the Earl of Norwich in an attempt to ravish a woman, throws doubt on the accuracy of its other statements. If there had been any truth in a story most improbable in itself, it would have been pleaded by the Puritan soldiers in justification of Lucas's execution.

² The political sentiments of the population are probably fairly indicated in a statement that 'The chief minister of this place, Mr. Harman, that not long before stirred up the people against the army, branding them with the names of heretics and schismatics, and the people of the town who affronted and abused our soldiers when they quartered there, now both ministers and people have longed for their deliverance by the hands of those whom they so much despised before.' *A True and Correct Relation of the Taking of Colchester*, E. 461, 24. The inhabitants, in short, were, for the most part Presbyterian and anti-military, ready to get rid of the army if they could, but not enthusiastic for the King. That there was a Royalist party amongst them is, of course, not denied.

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Aug. 17.
Proposal
to sur-
render.

his trust to permit it.' On the 17th the Royalist commanders showed signs of exhaustion, proposing to Fairfax to surrender in twenty days if they were not relieved within that time. Fairfax replied, 'that he hoped, in much less time, to have the town without treaty,' and ordered preparations to be made for storming the walls, though his purpose was probably rather to intimidate the besieged than to cast away unnecessarily the lives of his soldiers.

A cry for
bread.Aug. 19.
A demand
for terms.Aug. 20.
Fairfax's
terms.Aug. 21.
Women
turned
out.

Inside the walls, Norwich had hard work to stem the tide of mutiny. It is even said that he angrily bade the women, who were crying for bread, 'to eat their children,' and that the women threatened in return to tear out his eyes, secure of the concealed sympathy of the soldiers, who were hardly less hungry than themselves. On the 19th, Norwich, driven to extremities, sent to ask Fairfax for terms. On the 20th Fairfax declared that, with the exception of deserters, all soldiers and officers under the degree of a captain would be allowed to depart unharmed. Superior officers and gentlemen were to surrender at mercy. The conditions were hard, and Norwich could not yet bring himself to submit to them. On the 21st, pressed hard by a famished crowd of women and children, Norwich ordered the gates to be thrown open, and bade them go to the enemy with their complaints. Many did as he bade them and the remainder were thrust out by his orders. When the poor creatures reached Fairfax's sentries they threw themselves on their knees imploring that mercy might be shown at least to their children. It was not to be. The sentries were ordered to fire shots over the heads of the women to frighten them back, and when this proved of no avail, they told them that, if they did not return, they would be stripped of their clothing

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and driven back in their nakedness. Before this threat—it can hardly have been intended to be more—the poor gaunt creatures recoiled and found shelter for the night in a mill outside the walls, known as the Middle Mill.¹ On the following morning they were readmitted within the gates.

One more attempt was made by the besieged to obtain better terms. Fairfax was, however, inexorable, and the news of Cromwell's victory at Preston gave him assurance that time was no longer of consequence. He at once took measures to spread the news within the town, with the result that the commanders of the besieged, learning that they had held their ground as long as their constancy could serve the King's interest, resolved on the night of the 25th to provide for their own safety by one more desperate effort to break through Fairfax's lines. The horsemen, who were for the most part gentlemen, were eager for the venture. The foot-soldiers, believing that the horse would outstrip them and leave them to the mercy of the enemy, not only hung back, but even threatened to kill their officers if they passed the gates. On the morning of the 26th they declared that, if resistance were further prolonged, they would deliver them up to Fairfax.² After this, the commanders had but one course to pursue, and before the day was far spent, commissioners from both sides met to agree on the articles of capitulation.³

Aug. 22.
News from
Preston.

Aug. 25.
An attempt
to break
out.

Aug. 26.
The final
negotia-
tion.

¹ *The Diary of the Siege of Colchester* accompanying the map of the siege, in the Map Department of the Brit. Mus. Library, gives the dates day by day. The contemporary pamphlets and newspapers are too numerous to quote. The account of the women turned out is from *The Kingdom's Weekly Intelligencer*, E. 461, 14. See also *Mr. Round's MS.* p. 92.

² *Clarke Trials*, fol. 23b.

³ *Perf. Occurrences*, E. 526, 1 ; *A True and Perfect Relation*, E. 462, 16.

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An ex-
planation.

Fairfax and his Council of War now insisted on harder terms. The privates and subaltern officers, instead of being allowed to return to their homes with all they possessed, were admitted simply to quarter for their lives. The lords and gentlemen, as well as the captains and other superior officers, were, as before, to submit to mercy.¹ To a question as to the meaning of submission to mercy, an answer was given 'that they be rendered or do render themselves to the Lord General or whom he may appoint without assurance of quarter, so as the Lord General may be free to put some immediately to the sword if he see cause; although his Excellency intends, chiefly and for the generality of those under that condition, to surrender them to the mercy of Parliament, and of the mercy of the Parliament and General there hath been large experience.'²

Aug. 27.
The capitulation
signed.

Aug. 28.
Colchester
occupied
by Fairfax.

On the 27th the articles of capitulation thus explained were at last signed, and on the 28th the Parliamentary army marched into the town. In the meanwhile a Council of War met to select the persons to be put to death. At first voices were raised for the execution of Norwich and Capel as the highest in rank. Fairfax, however, urged that it would be more fitting to leave peers to 'be proceeded upon by the power of civil justice, and that the other persons, being more near to the condition of soldiers of fortune, and less eminent, should be set apart for

¹ *Perf. Occurrences*, E. 526, 1.

² I have followed almost entirely the form printed in *The Lords' Journals*, x. 478. The last phrase as there printed is, however, manifestly corrupt, 'to surrender them to the mercy of the Parliament and General. There hath been large experience.' The phrase has been altered above in accordance with the version given by Ireton in evidence at Capel's trial, *Clarke Trials*, fol. 22. Ireton then expressly stated that to the best of his belief the form usually circulated was erroneous.

the military execution.’¹ Fairfax’s suggestion found acceptance, and the fatal vote fell upon Lucas, together with Sir George Lisle and Sir Bernard Gascoigne, a Tuscan soldier, whose real name was Bernardo Guasconi.²

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Lucas,
Lisle and
Gascoigne
to be shot.

The sentence was passed at two in the afternoon, but time was given to the condemned to confer with a minister, and to partake of the communion. About seven in the evening³ the three prisoners were brought into the grassy castle-yard on the southern side of the vast keep, which had been reared by Norman hands, building as none but the sons of Rome had built before them. Lucas and Gascoigne embraced one another mutually, protesting their innocence of any crime deserving death. “Though I do not believe in predestination,” chimed in Lisle, “yet I believe it is God’s will, and truly I should have thought myself a happy person if I could live to have a longer time of repentance, and to see the King, my master, on his throne again, whom I beseech God to send to all the happiness that is due to so just, so good a man.” Then Lucas turned to Ireton, who had been appointed, together with Whalley and Rainsborough, to see the sentence carried out, asking by whom and on what grounds he had been condemned. Ireton told him he had been condemned by Parliament, which had pronounced all who engaged a second time in war to be

The con-
demned
men in the
castle-
yard.

¹ *Clarke Trials*, fol. 33b. The words ‘should be set apart’ are conjecturally added to fill a hiatus in the report. The phrase ‘soldiers of fortune’ has sometimes been treated as if it conveyed a sneer. At that time it merely meant ‘professional soldiers,’ as opposed to lords and gentlemen who, like the three peers who fell at Newbury, served the King with the intention of returning to a civil life as soon as the King’s authority was restored.

² For further information about him, see *Nozze Guasconi-Gardini*, Firenze, 1886.

³ *Packets of Letters*, E. 461, 29.

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traitors and rebels.¹ The soldiers, he added, were but the instruments of Parliament to suppress its enemies and to execute its judgments. "I do plead before you," replied Lucas, "all the laws of this kingdom. I have fought with a commission from those that were my sovereigns, and from that commission I must justify my action."

The
execution
of Lucas
and Lisle.

To this tragic issue had the question of sovereignty been brought. A few more words were spoken, a few more prayers were said, and then Lucas took his stand in the appointed place on a stone, round which, according to the belief prevalent in Colchester, the grass refuses to grow.² The soldiers fired, and Lisle, starting forward, caught in his arms the body of his slaughtered friend and kissed the dead man's face.³ Then he took his own station where Lucas had stood before him, and called to the firing-party to come nearer. "I'll warrant you, sir," said one of the men, "we'll hit you." Memories of the battle-field crowded on the mind of the soldier in his last moments. "Friends," he smilingly replied, "I have been nearer you when you have missed me." The fatal shots were fired, and Lisle spoke no word again. Gascoigne, who had already taken off his doublet to die with his comrades, was told that he was reprieved. His foreign extraction combined, it is said, with the devoutness of his preparation for death,⁴ had saved him.

Gascoigne
reprieved.

Indigna-
tion of the
Royalists.

No wonder the Royalists looked on the execution of Lucas and Lisle as an act of brutal ruffianism.

¹ Declaration. June 20, *L.J.* x. 338.

² Possibly there are stones from the old walls buried at no great distance from the surface.

³ An account of the death of Sir C. Lucas, *Clarke MSS.*

⁴ *Clarendon*, xi. 107; Newsletter, Sept. 11, *Roman Transcripts*, R.O.

Both of them, it was alleged, had fought like soldiers, and had done nothing whilst they were in command to make them unworthy of the treatment usually accorded by soldiers to a brave and high-spirited foe. What was more, they had fought in defence of the legal authority of the King against a rebellious and usurping Parliament.

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On the Parliamentary side it was pointed out that, a garrison refusing to surrender an untenable position had, by the laws of war, forfeited its right to quarter.¹ Yet the main stress was laid on the difference between the second and the first wars. In the first, whatever lawyers might say, soldiers had agreed to treat the struggle as one carried on for honourable ends on either side, in which those who fell into the enemies' hands were entitled to the treatment accorded to prisoners taken in a war between hostile nations. There was no such feeling in Fairfax's ranks in regard to the second war. "The ground of it all," a Royalist had written nearly three months before the surrender of Colchester, "is that the kingdom is weary of the war, and it is generally believed that the King desires peace more than the Parliament."² The exasperation amongst the soldiers was caused by the belief that Charles and the Royalists were unfairly using this desire for peace to throw the kingdom into confusion, and ultimately to reintroduce the old condemned system of government in Church and State. Nor were other circumstances wanting to strengthen the feeling of anger in their breasts. The long fruitless negotiations in which Charles had baffled their

The Par-
liamentary
view.

¹ Rare instances in which Royalists had acted on this principle were quoted, and Lucas was himself charged with having done so at Canon Froome.

² Letter of Intelligence, June 1, *Clarendon MSS.* 2,796.

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sincerest efforts, and more especially the duplicity with which he had brought the Scots into England when he was making overtures to Parliament, drove them to regard the cause for which Lucas and Lisle had fought as one for which no honourable man should draw his sword.

The deed
not to be
justified.

Though such arguments may serve to explain the motives of Fairfax and the Council of War, they do not serve to justify their deed. It was done, as Fairfax explained, 'for some satisfaction to military justice, and in part of avenge for the innocent blood they have caused to be spilt, and the trouble, damage, and mischief they have brought upon the town.'¹ If the

¹ Fairfax to Lenthall, Aug. 29, *Rushw.* vii. 1,243. It will be seen that no question was raised of the condemned men having violated their parole. They were shot as traitors to the established authority of Parliament. Yet as the question has been often raised it may be well to consider it. Mr. Firth in a note to his edition of *The Life of William Cavendish, Duke of Newcastle*, App. 366, points out that the sole evidence for the belief that Lucas had given his parole to Fairfax after his capture in 1646 is the correspondence exchanged between them on June 19, 1648, in which Fairfax charges Lucas with forfeiting his parole, and Lucas replies that after making his composition he had informed Fairfax that he had punctually performed his engagement, 'as they stood in relation to his Lordship,' and that Fairfax had been satisfied. Lucas then proceeds as follows: "But, my Lord, beside my inclinations and duty to the service I am in at present, be pleased to examine whether the law of nature hath not instigated me to take my sword again into my hand, for when I was in a peaceable manner in London, there was a price set upon me by the Committee of Derby House, upon which I was constrained to retire myself into my own country, and to my native town for refuge."

Mr. Firth shows that Lucas by no means cleared himself of the obligation of the parole. "The Committee of Goldsmiths' Hall," he writes, "to which this composition was paid, exacted from delinquents the taking of the Covenant and an oath not to assist the King against the Parliament, 'nor any forces raised without the consent of the two Houses of Parliament in time of war.' . . . The action of Sir Charles in taking up arms again in 1648 was a distinct breach of this engagement." This appears to be indisputable. Nor can the other point raised by Lucas about the price set on his head be pleaded

minds of the members of the Council of War had been less clouded by anger, they would surely have perceived that it was for a civil rather than for a military tribunal to unravel the question of the guilt of the prisoners. It was thus that Cromwell had dealt with Poyer and his companions at Pembroke, and it is hardly possible to doubt that if Cromwell, and not Ireton, had been the guiding spirit in the council which sat in judgment before Colchester, Lucas and Lisle, like Norwich and Capel, would have been reserved for the sentence of Parliament.¹

Before the evening closed, Fairfax sent Ireton, Whalley, and Ewer to Norwich and Capel, to assure them that they and the other superior officers would have quarter for their lives. Capel's short answer was that, they would have given better thanks if their own lives had been taken and Lucas's and Lisle's spared.² Further than quarter for life Fairfax's assurances did not go. The officers were relegated to various prisons to await the judgment of Parliament.

Norwich
and Capel
assured of
quarter
for their
lives.

in his favour. Mr. Firth indeed does not give an opinion on it, but I can see no reason to doubt that what Lucas refers to is some action taken by the Committee of Derby House in putting in force an Ordinance of May 23, 1648, enjoining all who had served on the King's side in the former war, with certain specified exceptions, to leave London. If the Committee believed Lucas to be hiding, it might very well have offered a reward for his apprehension, and, by his own showing, all that happened to him was that he had to retire to his own house in Essex. It was monstrous to assert that a mere police measure of this kind justified him in breaking his oath.

¹ "Indeed," said Hamilton at his trial, speaking of Cromwell, "he was so very courteous and so very civil as he performed more than he promised, and I must acknowledge his favour to those poor wounded gentlemen that I left behind, that were by him taken care of, and truly he performed more than he did capitulate for." *Clarke Trials*, fol. 116b.

² *Ib.* fol. 24b, 32; *Carter*, 201, 202; *Clarke Trials*, fol. 32. It was disputed at the trials of Norwich and Capel whether this promise exempted them from proceedings in a civil court, but there can be no doubt that it covered as much as is given above.

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The gentlemen who had served as soldiers were delivered over to Fairfax's officers, who picked them out in turn, that they might hold them to ransom.¹ To the subalterns and private soldiers was assigned a heavier lot. They were first shut up in one or other of the churches in the town, where they were pillaged by the soldiers, and for the most part stripped to their shirts. After a few days they were marched off to Bristol and other western ports, where such of them as reached their destination alive were shipped off, either, according to the example set in the case of the Scottish prisoners taken in Lancashire, to serve as unwilling labourers in the burning heat of the West Indies, or to enforced military service in the employment of the Venetian Republic.²

Treatment
of the
town.

Harsh as was this treatment of the captives, the treatment of the townsmen was even more unjustifiable. If Colchester had erred in admitting the Royalists into the town, its inhabitants had had cause enough to

¹ "For the officers," writes Carter, "he," *i.e.* Fairfax, "distributed to every regiment a certain number of gentlemen that were prisoners, as slaves to the gallies or to ransom themselves. The officers whereof came to the pound, as the manner of graziers is by their cattle, and called them first out of that into another, and then drove them away for the market, to make the most of them; so most of them afterwards as they were able, and according to the civility of those they were distributed to, bought their liberties and returned home." *Carter*, p. 203.

² *Ib.*; Fairfax to Moore, Sept. 6, 1649, *Hist. MSS. Com. Rep.* x. part iv. 93. The whole arrangement is clearly stated in *The Moderate Intelligencer* (E. 462, 18): "The prisoners taken in this town are disposed after this manner: the Lords, with two men apiece attending them, and twelve other officers, are to march with the General's regiment to-morrow, . . . the other officers are to be sent, some to the Mount, some to Pendennis, some to Cardiff, Oxford, Arundel, and divers other strengths, but none beyond Trent; the common soldiers, prisoners, return not to London to their masters to be ready for a new business, but will be conveyed West, in relation to Bristol and other sea-towns, that so they may pass to America, Venice, or as shall be appointed; the gentlemen, not soldiers, are committed to the care of troopers and others until further order be taken."

regret their error. Yet Fairfax had promised his soldiers 14,000*l.* in lieu of the plunder to which they claimed a right, apparently on the ground that they might have stormed the place if they had been allowed to do so. Colchester was, however, impoverished by the siege, and upon its pleading the impossibility of raising so large a sum, Fairfax remitted 2,000*l.*, offering at the same time to distribute amongst the poor another 2,000*l.* out of the money raised. He then wrote to ask the House of Commons to give him 4,000*l.* to make up the deficiency, and the House, to ensure that there should be nothing lacking, voted him 5,000*l.* to be paid out of the estates of delinquents in Colchester, or, in case these proved insufficient, out of the estates of delinquents in other parts of Essex.¹

The truth is that a savage spirit of exasperation filled the soldiers against those whom they regarded not as legitimate enemies, but as unprincipled breakers of the peace. Even Cromwell shared, though in a very modified degree, in this feeling. To him the victories gained were not simply the result of the superiority of a small but disciplined army over forces scattered and untrained, they were the visible tokens of the presence of God vindicating the cause of His chosen ones by the destruction of His enemies, and condemning the hesitations of Parliament. Even Vane himself, it seems, had not sufficiently appreciated

Exasperation in the army.

Cromwell holds victory a sign of Divine favour.

¹ Morant, *Hist. of Essex*, i. 73. There was raised

	£
From the Dutch Congregation	5,980
From the Head and North Wards	3,928
	9,908

leaving 2,092*l.* to be raised from the other two wards, 2,000*l.* being returnable to the poor. Of the money thus got, only 2,000*l.* was paid to the Essex and Suffolk Trained Bands, leaving the whole of the rest for distribution amongst Fairfax's own soldiers.

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this appeal to the God of Battles. Not many days after the victory at Preston Cromwell sent him a message that he was as little satisfied with his 'passive and suffering principles' as Vane was with his own active ones.¹ "Remember my love," wrote Cromwell to St. John a few days later, "to my dear brother H. Vane; I pray he make not too little nor I too much of outward dispensations."²

Milton's
sonnet to
Fairfax.

Cromwell had on his side an idealist as pure as Vane, and less apt to distrust the power of force to solve moral and social problems. "Fairfax!"³ wrote Milton:—

"—whose name in arms through Europe rings,
Filling each mouth with envy or with praise,
And all her jealous monarchs with amaze,
And rumours loud that daunt remotest kings.
Thy firm unshaken virtue ever brings
Victory home, though new rebellions raise
Their hydra-heads, and the false North displays
Her broken league to imp their serpent wings.
O yet a nobler task awaits thy hand:
For what can war but endless war still breed,
Till truth and right from violence be freed,
And public faith cleared from the shameful brand
Of public fraud? In vain doth valour bleed,
While avarice and rapine share the land."

Vane's
Parlia-
mentary
position.

Between the violence and rapine of the Cavalier and the fraud and avarice of the Presbyterian member of Parliament, Fairfax was to advance the standard of

¹ *The Proceeds of the Protector*, p. 5, written by Vane in 1656.

² Cromwell to St. John, Sept. 1, *Carlyle*, Letter lxvii.

³ The title in Milton's own hand is "On the Lord Gen. Fairfax at the Siege of Colchester." This looks as if the sonnet was written before the town was actually taken, though virtually certain to surrender, and therefore in August rather than September, to which latter month it is usually ascribed. In this case the words 'ever brings victory home' must mean 'is accustomed to do it, and therefore is certain to do so now.' See Masson's *Life of Milton*, iii. 688.

truth and right. To Vane, compelled to seek for truth and right by Parliamentary methods, the achievement seemed less easy of attainment. On August 14 Holles, following the example of others of the excluded members, took his seat once more at Westminster. Even the victories in Lancashire and Essex produced in the Houses no such exultant mood as to lead them to break with the King. During the late troubles, Skippon had earned an evil name amongst the Presbyterians of the City by the resolution with which he anticipated all attempts to give armed help to the Royalists. Yet, when Cromwell's triumphant despatch from Warrington was read in the House of Commons, it was Skippon who warned the members not to be so elated with success as to neglect the way of peace.¹ On the following day the repeal of the Vote of No Addresses passed both Houses, and the preparations for the proposed treaty with the King were thus enabled to proceed without further hindrance.²

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Aug. 14.
Holles
takes his
seat.Aug. 23.
Skippon
pleads for
peace.Aug. 24.
Repeal of
the Vote
of No
Addresses.Aug. 25.
Surrender
of Deal
Castle.Aug. 26.
The Prince
proposes
to go to
Holland.Mutiny
of the
crews,

Before long, too, what embers of war were still alight in southern England were trodden down. On August 25 Deal Castle surrendered, and Sandown Castle was the only one of the three fortresses in the Downs remaining in the hands of the Royalists. On the following day the Prince, finding himself short of provisions, and having no immediate chance of support on land, determined to return to Holland to revictual. As soon as his resolution was known the crews broke into mutiny, insisting upon sailing up the Thames, where they hoped to defeat the

¹ ——— ? to Joachimi, *Add. MSS.* 17,677, T, fol. 191b. The letter is dated Sept. 1, *i.e.* ^{Aug. 22} Sept. 1, but this is an evident mistake, the date being probably transferred by the copyist from that of the preceding letter.

² *L.J.* x. 454.

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who insist
on sailing
up the
Thames.

Parliamentary fleet under Warwick if they did not at once prevail on his crews to desert him. What they wanted was to be the English sailors of an English King, not to threaten England from a basis of operations in a foreign country. They would rather, they said, live on half rations than go back to Holland without striking a blow. The opportunity now offered might never recur. Eight of Warwick's ships were still on their way from Portsmouth to join him, and would easily be cut off by a Royalist fleet holding the mouth of the Thames.¹ In the absence of this detached portion of the Parliamentary navy the two fleets were about equal in fighting powers, but it was understood that the Parliamentary crews had no heart in the cause for which they were asked to fight.²

Aug. 29.
The Prince
catches
sight of
Warwick.

Aug. 30.
A storm
separates
the fleets.

Aug. 31.

Sept. 3.
The
Prince's
fleet in
Holland.

Sept. 2.
Warwick
in the
Downs.

The behests of the sailors were promptly obeyed, and on the 29th the Prince, sailing up the estuary of the Thames, caught sight of the enemy. On the 30th, when both fleets were off the Medway preparing for action, they were separated by a sudden storm from the north-west, which made it impossible for the Prince to attack. The next day the gale still blew, whilst on board the Royalist fleet there remained but one butt of beer and not a single drop of water. There was no choice now but to make with all speed for a Dutch port. By September 3 the whole of the Prince's fleet was anchored in neutral waters off Goree. On September 2 Warwick, having effected his junction with the Portsmouth squadron, anchored in the Downs³ and on the 5th Sandown Castle surrendered

¹ ——— ? to Joachimi, Aug. 31, ^{Aug. 22} Sept. 1, *Add. MSS.* 17,677, T, fols. 182, 186.

² *The Copy of a Letter*, E. 464, 23.

³ *A True Relation by Sir W. Batten*, E. 458, 8; Warwick

to its besiegers.¹ Parliament was now master of every foot of ground in southern and central England. An insurrection conducted not only without unity of military direction, but without concurrence amongst its leaders in the political objects at which they aimed, could hardly, in the presence of a compact and disciplined army, have ended otherwise than in complete disaster.

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Sept. 5.
Surrender
of Sandown.

to the Com. of D. H. Aug. 31, *L.J.* x. 483; Dr. Steward's Relation, Sept. 17, *Clarendon MSS.* 2,878; A Relation of the Fleet, *Clar. St. P.* ii. 414.

¹ *Perf. Occurrences*, E. 526, 5.

CHAPTER LXVI.

THE TREATY OF NEWPORT.

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Aug. 31.
Change of
tone in
the City.

THE events of the last few weeks had led, outwardly at least, to a marked change in the relations between the Houses and the City. On August 31 the Common Council forwarded to Parliament a paper which, though it contained the usual demands for a Presbyterian settlement, a treaty with the King, and the disbandment of the army, also contained a denunciation of the late war, and an invitation to come to an understanding with the army.¹ No doubt the change of language is in the main to be ascribed to the successes of Cromwell and Fairfax, but, in part at least, it may also be traced to annoyance at the seizure of London ships and interference with London trade.²

Opposition
to the
proposed
negotiation
with the
King.

The wave of dissatisfaction with those who had stirred up unsuccessful war, which made even the citizens of London desire to come to terms with the army, made the stauncher Independents in the House of Commons anxious to hinder any futile endeavour to come to terms with the King. As the mouthpiece of these Ludlow travelled to Colchester, either when the town was on the point of surrendering, or not long after it had surrendered, in order to urge Fairfax to bring his army to Westminster, and to put an end by

Ludlow
urges
Fairfax to
hinder it.¹ *L.J.* x. 478.² Grignon to Brienne, ^{Aug. 31}_{Sept. 10}, *R.O. Transcripts*.

force to the proposed negotiation. As might have been expected, he received from Fairfax the vaguest possible answer. Ireton, to whom he next applied, was more definite. Though he agreed with Ludlow in thinking that military interference would ultimately be necessary, he considered it advisable to postpone action till the negotiations had been so far developed as to divulge the objects of both parties, and thereby to render unpopular both the King and those who had confidence in his word.¹

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Ireton
advises
a post-
ponement
of action.

An argument against immediate military intervention was no argument against petitioning the House of Commons in opposition to the course which it seemed bent on adopting; and accordingly, on September 11, a petition, to a great extent at least the work of Lilburne,² was laid before the House by the London Levellers. It maintained the doctrine that the House of Commons was the supreme authority in the realm, and called for the abolition of the negative voices of the King and the House of Lords, and generally for reforms of the nature of those demanded in the *Agreement of the People*. In the end the petitioners asked the House to consider

Sept. 11.
The
petition
of the
London
Levellers.

¹ Ludlow's *Memoirs* (ed. 1751), i. 227. He says that he went 'to the army which lay at that time before Colchester.' It is inconceivable that he expected Fairfax to come to London before Colchester was taken, and I see no reason to doubt that he really went either whilst the army was before Colchester just after the surrender, or during the last two or three days of the siege when it was quite certain that Colchester would surrender. Ludlow can never be trusted about dates, but I do not think he would have written that he went to Colchester if his visit had been at a later time when the army was at some other place. If he did go to Colchester his visit cannot have been later than about Sept. 6, as it was known in London on the 8th that Ireton was no longer there. *Perf. Occurrences*, E. 526, 5.

² Lilburne says that he 'was compelled by conscience to have a hand in' it. *Legal Fundamental Liberties*, p. 29, E. 560, 14. It has also been ascribed to Marten, *Merc. Pragm.* E. 464, 12. Marten, however, was not at this time in London.

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‘whether the justice of God be likely to be satisfied, or His yet continuing wrath appeased by an act of oblivion.’¹

Sept. 18.
Opening
of the
Treaty of
Newport.

On the deliberations of either House this petition of the London Levellers had no influence whatever. The preparations for treating with the King were rapidly pushed forward, and on September 18 the negotiation itself was opened at Newport, it being understood that it was to last forty days and no longer. Charles, liberated on parole from his confinement at Carisbrooke, was allowed to occupy the house of William Hopkins in the little town, whilst the actual meetings between himself and the commissioners were held in the Town Hall.

The Par-
liamentary
commis-
sioners.

The recall
of declara-
tions,

The fifteen commissioners chosen by Parliament to conduct the negotiations had been selected from both parties; the most conspicuous amongst them being Northumberland, Holles, Say, and Vane. They were instructed to present each of the old Hampton Court propositions² in order; the first containing a demand that Charles should withdraw all his declarations against Parliament. To the body of this proposition Charles made no objection, but he not unreasonably shrank from accepting a statement in the preamble to the effect that ‘both Houses of Parliament’ had ‘been necessitated to undertake a war in their just and lawful defence.’ On the 25th, however, he withdrew his opposition, stipulating that nothing to which he agreed should have any validity unless a complete understanding were arrived at on every point, and thus convincing himself that whatever concessions he might make would be merely nominal. As Charles had himself no expectation that an understanding would ever be reached, he

Sept. 25,
accepted
by the
King.

Charles
stipulates
that no
concession
shall be
valid with-
out a
complete
agreement.

¹ *Parl. Hist.* iii. 1,005.

² See pp. 188–190.

was thus enabled to promise whatever he found convenient, without regarding himself as in any way bound by his words.¹

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On the 26th there was a warm discussion in the House of Commons on the admission of this stipulation. As might have been expected, the Independents protested against it as having a merely dilatory object. It happened, however, that the debate fell on a day fixed for a call of the House, when the Presbyterians trooped up in large numbers to avoid the fine imposed on absentees. Consequently their opponents did not even venture to divide against them; and an attempt made by the Independents to reopen the question in a thinner House on the 28th was promptly suppressed.²

Sept. 26.
Debate
in the
House of
Commons
on the
King's
stipulation.

Sept. 28.
It is
accepted.

In the army, Charles's delay in accepting the first article caused the greatest irritation. The regiments at Newcastle and before Berwick were the first to appeal to Fairfax in support of the petition of the London Levellers,³ and their opinions were certain to find an echo in the ranks of Fairfax's army, the head-quarters of which were on September 21 removed to St. Albans. It was still more significant that Ireton abandoned the expectant attitude which he had maintained in his conversation with Ludlow at Colchester, and urged Fairfax to put an end to the treaty by purging the House. On the 27th he wrote to Fairfax a long letter, in which he set forth his views, and in the end offered to resign his commission.⁴ It

Sept. 21.
Feeling
of the
regiments
in the
North.

Ireton
urges the
purging
of the
House,

Sept. 27,
and offers
to resign
his com-
mission.

¹ Walker's *Perfect Copies of all the Votes . . . in the Treaty held at Newport*, bound with his *Hist. Discourses*, 1-25; The King to the Prince of Wales, Nov. 6, *Clar. St. P.* ii. 425-31.

² *Merc. Pragmaticus*, E. 465, 19.

³ *The Moderate*, E. 467, 1.

⁴ This letter has not been preserved, but Mr. Firth tells me of a note written on a newsletter of Sept. 26 in the *Clarke MSS.* "Comm.

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His
probable
motives.

is probable that the explanation of his change of view is to be found in the events passing at Newport and Westminster. Charles's long delay in sanctioning the withdrawal of hostile declarations must have struck Ireton as affording ground for an appeal to the people against a King whose heart was not set upon peace; whilst the vote of the Commons on the 26th, by which they accepted Charles's merely dilatory stipulation, was sufficient evidence that the Presbyterians were not to be trusted with the conduct of a negotiation in which they allowed themselves to be so easily befooled. As neither Ireton's views were adopted, nor his resignation accepted, it is to be presumed that Fairfax found sufficient support amongst the officers to resist Ireton's urgency, but was nevertheless induced to agree to some compromise,¹ the exact nature of which cannot now be ascertained. Whatever may have been the reason of Ireton's withdrawing his resignation, he retired to Windsor for a time, either to dissociate himself from Fairfax's action, or simply to watch events till the interference for which he had been pleading should become inevitable.

Ireton
retires to
Windsor.

Gen. Ireton wrote a long letter to Ld. Fairfax with reasons for laying down his commission, and desiring a discharge from the army, which was not agreed unto v[id]e l[ette]rs dated 27 Sept." In *Merc. Pragmaticus* of Oct 3 (E. 469, 19), there is a statement (Sign. Nn. 2) that there was a talk of petitioning Fairfax for 'a new purge . . . and truly in Com. Ireton's opinion it is high time.' On the last page, indeed, a contrary disposition is attributed to Ireton, but this is evidently a mere rumour brought in when the newspaper was going to press, as it is contradicted in the following number, in which, under the date of Oct. 7, it is said that certain 'devilish letters' stirring up the army to resistance 'had their frame from Ireton, and countenance from his father Cromwell.'

¹ Fairfax, it was alleged, was ready to stand to the agreement to be made between the King and both Houses, 'the consideration whereof is said now to be the true cause why Ireton left the head-quarters and

In the meanwhile the crucial question of Church government had been reached at Newport. On August 29, nearly three weeks before the opening of the negotiations, Parliament had taken care to pass a comprehensive Ordinance, establishing a complete Presbyterian system without the slightest stain of toleration,¹ and the King was, therefore, met with at least the semblance of an accomplished fact. In the first days of the treaty two of the Presbyterian Commissioners, Holles and Grimston, being fully alive to the danger of military intervention, threw themselves on their knees before Charles, entreating him to yield at once all that was possible without wasting time in useless discussions. Vane, on the other hand, did his best to persuade Charles, through his Episcopalian supporters, to accept the scheme of toleration set forth in *The Heads of the Proposals*.² Charles gave no heed to the pleadings of either party. The old thought of wearing out his adversaries by engaging them in mutual strife was ever present to his mind. Some, indeed, of his advisers recom-

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Sept. 25.
The
question
of Church
govern-
ment.Aug. 29.
The Pres-
byterian
system
established
by Ordina-
nance.The Pres-
byterians
urge
Charles
not to
waste time.Vane
pleads for
toleration.

retired to Windsor.' *Merc. Pragmaticus*, E. 466, 11. "Can it be," writes Mr. Firth to me, "that Fairfax proposed standing by the treaty, that Ireton then proposed to resign—that Fairfax then promised, in order to induce Ireton to withdraw his resignation, to demand certain specified securities from the King—that Ireton accordingly withdrew it, and retired to Windsor to watch the progress of the negotiation, returning to head-quarters after it had failed?" Mr. Firth also suggests that Ireton may have obtained the consent of the extreme party to delay by representing to them that Fairfax would ultimately join them, and that his resignation was caused by the discovery that Fairfax insisted on defending the treaty made by the Houses with the King whatever it might be.

¹ *L.J.* x. 461.

² Burnet's *Hist of his Own Time*, i. 44. So much as appears in the text may, I think, fairly be accepted, but when Burnet adds that Vane made this proposal merely to spin out the time till Cromwell could return with his army, he appears to be attributing motives of the existence of which he had no means of knowing.

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mended him to grant all that was asked, and when he was again on the throne to break his promise, as having been made under duress; but Charles, though he had sometimes played with this idea, preferred a less direct method of gaining his ends.¹

Sept. 25.
Charles
asked to
establish
Presby-
terianism.

Accordingly, on the 25th, Charles had to listen to a proposal from the commissioners that he should assent to a whole string of acts, not only abolishing Episcopacy and the Prayer Book, and establishing the Presbyterian system and the Directory in their place, but also enjoining the taking of the Covenant on all persons in the realm, including himself.²

Sept. 28.
The King's
reply.

To this exorbitant demand Charles replied on the 28th by proposing his old 'expedient of a three years' Presbyterianism with toleration, not only for himself 'and those of his own judgment,' but also for 'any others who' could not 'in conscience submit themselves thereto.' To this he added a scheme for satisfying the purchasers of bishops' lands by granting them leases for ninety-nine years at low rents, thus avoiding the absolute alienation of Church property. As for the Covenant, he would neither swear it himself nor enjoin it on others. Then, taking up the second main point at issue, he declared himself ready to abandon the militia to Parliament, not, indeed, as he was asked to do, for twenty years, but for ten. He was, moreover, ready to allow the Houses to do as they pleased with Ireland, to appoint the chief officers under the Crown for ten years, and also to allow the City, for the like space of time, to control its own militia, and to have the custody of the Tower. He

¹ A long letter of a Royalist in Newport (E. 464, 29) which makes this assertion looks very like a forgery. See, however, Grignon to Brienne, ^{Sept. 28}/_{Oct. 8}, *R.O. Transcripts*.

² *Walker*, 26.

then expressed a hope that, as he had conceded so much, he would be allowed to come to Westminster in 'a condition of absolute freedom and safety.' He also asked for the restitution of his revenue, and for an act of oblivion to apply to both parties.¹

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On the allegation of the commissioners that they were precluded by their instructions from accepting any reply which was not a direct answer to the propositions, Charles, on the 29th, sent this proposal to the Houses by an independent channel.² Whilst awaiting a reply, he engaged in a controversy with the commissioners and the Presbyterian divines by whom they were accompanied.³ With a keen eye for the weak points of an opponent, Charles was at his best in discussions of this nature. "The King," said Salisbury to one of the secretaries, "is wonderfully improved." "No, my Lord," was the prompt answer, "he was always so, but your Lordship too late discerned it."⁴

Sept. 29.
It is sent
to the
Houses.Charles as
a contro-
versialist.

Polemical skill is, however, little apt to conciliate opponents. That Charles's proposal in itself was far more rational than the one to which the Houses expected him to subscribe will hardly be denied at the present day. The real question was whether the three years of grace which he engaged to allow to the Presbyterian government were to be utilised by him for the purpose of bringing about a rational compromise upon full and free discussion, or for the purpose of recovering sufficient power to enable him to overthrow Puritanism altogether when the fourth year arrived. Nothing can indicate more plainly the prevailing distrust of Charles than the fact that on October 2 the House rejected his pro-

The real
question
at issue.¹ *Walker*, 29.² *Ib.* 34.³ *Ib.* 35-48.⁴ *Warwick's Memoirs*, 324.

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Sir J.
Evelyn's
speech.

posals without a dissentient voice.¹ "The army and well-affected abroad," said Sir John Evelyn, "would think very strangely that the King should be at liberty and no further security given for their liberties than his bare word, and, therefore, I humbly conceive that if the King's offers were so large as we desire, yet in no case ought we to yield that he should come hither till they were passed into acts."² Evelyn was an Independent, but even the Presbyterians did not vote against him.

Charles
on the
defensive.

Oct. 6.

His cham-
pionship
of Episco-
pacy.

Charles had therefore to throw himself on the defensive, arguing with no slight skill of fence against the Parliamentary proposition as it stood. On October 6, being hard pressed about the Covenant, he replied that it was so interwoven with Scottish interests 'that if they were taken out it would be as thin as my Lord Say's country cheeses.'³ That he was in earnest in his championship of Episcopacy is undeniable. The tears which dropped from his eyes when he believed himself to be unobserved are an evidence of the sharpness of the internal struggle.⁴ The arguments of the Presbyterian ministers who accompanied the commissioners made absolutely no impression upon him, and he was as proof, as one of his successors afterwards showed himself to be, against the political argument that he was not bound in his legislative power by his coronation oath.⁵

¹ *C.J.* vi. 41.² *Merc. Pragmaticus*, E. 466, 11.

³ "The cheeses alluded to," says Mr. Bruce, who gives this account from a MS. in the possession of the Earl of Verulam (*Archæologia*, xxxix. 113) "were those of Banbury. . . . Bardolph terms Slender 'You Banbury cheese' (*Merry Wives of Windsor*, Act. i. sc. 1) in allusion to the same characteristic attributed by the King, in a certain possible case, to the Covenant." Mr. Bruce dates Charles's remark on the 5th, but the conversation which gave rise to it appears to have taken place on the 6th. See Oudart's diary in Peck's *Desiderata Curiosa*, 390.

⁴ *Warwick's Memoirs*, 326.⁵ The King to the Prince of Wales, Nov. 6, *Cl. St. P.* ii. 435.

Once more, finding his position intolerable, Charles planned an escape from the island, this time with the assistance of his host, Hopkins.¹ It is true that he had given his parole to remain at Newport, but his mind was fertile in explanations, and not later than October 7 he had determined that in this matter he was not bound by his plighted word.² All that remained was to spin out the negotiation as long as possible. Accordingly he informed the commissioners on the 9th that he was ready to give way in some degree. The Episcopacy, he explained, on the maintenance of which he insisted after the three years of Presbyterianism came to an end, was the primitive Episcopacy of which so much had been heard in 1641. Bishops were 'to have counsel and assistance of Presbyters in ordination and jurisdiction, and in the last were and are limitable by the civil power.' On the same day Charles promised to concede the militia for twenty years, and to settle Ireland in such a way as Parliament might decide.³

It is unnecessary to consider whether these concessions, if honestly granted, ought to have proved acceptable. "I pray you," wrote Charles in the evening to Hopkins, "rightly to understand my condition, which, I confess, yesternight I did not fully enough explain, through want of time. It is this: notwithstanding my too great concessions already made, I know that, unless I shall make yet others which will directly make me no King, I shall be at best but a perpetual prisoner. Besides—if this were not, of which I am too sure—the adhering to the

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Oct. 7.
Charles
plans an
escape,and deter-
mines to
spin out
the nego-
tiation.Oct. 9.
His answer
about
Episco-
pacy,and about
the militia
and
Ireland.Charles
explains
his con-
dition.

¹ Hillier, *King Charles in the Isle of Wight*, 270.

² The King to Hopkins, Oct. 7, Wagstaffe's *Vindication* (ed. 1711), 160.

³ *Walker*, 49-54.

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Church—from which I cannot depart, no, not in show—will do the same: and, to deal freely with you, the great concession I made this day—the Church, militia, and Ireland—was made merely in order to my escape, of which if I had not hope, I would not have done; for then I could have returned to my strait prison without reluctancy; but now, I confess, it would break my heart, having done that which only an escape can justify. To be short, if I stay for a demonstration of their further wickedness, it will be too late to seek a remedy; for my only hope is that now they believe I dare deny them nothing, and so be less careful of their guards.”¹

Proposi-
tions
lightly
accepted.

Oct. 13.
The propo-
sition on
delin-
quents

Having thus eased his conscience, Charles lightly accepted one proposition after another till, on October 13, he reached the one on delinquents, in which he was asked to except from pardon thirty-seven of his chief supporters and all recusants who had taken arms on his behalf, as well as to subject an immense number of his undistinguished followers to lesser penalties on a graduated scale.² Even the prospect of being able to nullify all his concessions in the end was insufficient to induce Charles to assent to this demand, and, on the 17th, he rejected it, though he offered to except from pardon all who had taken part in the Irish rebellion, and to exclude from office, or even to banish for a time, all persons named to him by the Houses. He further expressed his readiness to require all the so-called delinquents to pay a moderate composition, and to exclude them from Parliament for a term of three years.³

Oct. 17
rejected by
the King.

¹ The King to Hopkins, Oct. 9, Wagstaffe's *Vindication* (ed. 1711), 160. For the King's Parole, see Instructions to Hammond, Aug. 24; and Hammond's letter to Manchester, Aug. 28, *L.J.* x. 454, 474.

² *Walker*, 57.

³ *Ib.* 61.

In the meanwhile the Presbyterian majority in both Houses had concurred in the rejection of the King's last proposal on Episcopacy.¹ So hopeless did the chance of an agreement appear that on the 17th the Independents carried a motion for adjourning the House of Commons to the 23rd. On the 27th the forty days to which the negotiation was limited would have elapsed, and thus only a few days would be left after the reassembling of the House for the discussion of any new proposals. This motion, however, was afterwards rescinded at the instance of the Lords,² and on October 21 the King gave in what he declared to be his final answer on the subject of the Church, in which he proposed that at the expiration of three years of Presbyterianism ordination should be conferred by bishops, but only with the 'counsel and assistance of Presbyters,' and episcopal jurisdiction exercised in such a way as Parliament might approve.³

The Lords, eager as ever to avert a breach, voted on the 24th that no more than seven persons should be excepted from pardon. On the 26th they agreed to 'an expedient,' which would at least have allayed all anxiety as to the use of the King's negative voice. Presbyterianism was to remain in force at the end of the appointed three years until some other arrangement was made, legal presumption being thus given to the Presbyterian and not to the Episcopal system.⁴ The Commons on the other hand preferred to meet the King's offer with a direct negative, and on the 27th they rejected the whole of his proposal.⁵

The treaty was indeed continued for some weeks longer, as the Houses from time to time prolonged it

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Oct. 11-17.
Votes in
Parliament.Oct. 21.
Charles
offers to
grant
limited
Episcopacy.Oct. 24.
Efforts of
the Lords
to prevent
a breach.Oct. 26.
An expedient
proposal.Oct. 27.
The King's
offer
rejected.¹ *C.J.* vi. 49.³ *L.J.* x. 559.⁵ *C.J.* vi. 62.² *Ib.* vi. 53; *L.J.* x. 547.⁴ *Ib.* x. 564.

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Signifi-
cance of
this vote.

far beyond the forty days to which it was originally limited. The vote of October 27 was nevertheless its death-blow. The King had yielded all that he could reasonably be expected to yield, and the Presbyterian majority, which had pressed so earnestly for a treaty, had only succeeded in showing its incapacity for understanding the most elementary conditions of human nature, and in giving to Charles a stage on which he could display his own apparent moderation and fairness of mind.

Oct. 16.
Charles
continues
anxious to
escape.

Whether Charles was as fair-minded as he appeared to be may indeed be doubted. All through October he was urging Hopkins to carry out that plan for his escape, which was to render all these concessions futile. "I shall hold out as long as possibly I may," he wrote on the 16th, "but it cannot be long, for the businesses of the Church and my friends come so fast upon me that I cannot promise you a week. Therefore lose no time." "I assure you," he wrote again on the following evening, "that I shall have but few days free to act my part; I need say no more, but let me know what is possible to be done, and then it is for me to judge. I assure you, my friends abroad desire my freedom if it be possible more than myself, being confident thereby in a great measure to alter the face of affairs." "Believe me," he wrote again on the 30th, "I shall speedily be put to my shifts, or cooped up again; wherefore, if you can conveniently I would speak with you this night after supper."¹

Oct. 17.

Oct. 30.

The
Queen's
schemes.

Charles indeed had need of haste. With his full knowledge the Queen had been weaving plans for a renewal of war, enough of which came to light to cause irritation against her husband as well as against

¹ Wagstaffe's *Vindication* (ed. 1711), App.

herself. In one respect, indeed, her hopes proved delusive. She had for some time expected that whenever peace was restored to the Continent Mazarin would make it his first object to assist Charles to regain his throne. At last the long-hoped-for day arrived. On October 14, the Treaties of Westphalia were signed, that between France and the Empire at Münster, and that between the Empire on the one hand and Sweden and her Protestant allies on the other at Osnabrück; France thus gaining that predominance in Germany for which Richelieu and his successor Mazarin had long been striving. If, however, the war in Germany was ended, the war between France and Spain was not; and, what was even more fatal to the Queen's expectation of receiving pecuniary aid from the French Government, barricades were raised in the streets of Paris, and the Queen Regent was obliged to capitulate to the insurgents. In the midst of the troubles of the Fronde, Mazarin had no power, even if he had the will, to aid in the recovery of Charles' crown.

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Oct. $\frac{14}{24}$.
The Peace
of West-
phalia.

The
Fronde.

Nevertheless Henrietta Maria continued to hope. It was true that her son's fleet had, ever since September 19, been blockaded at Helvoetsluys by Warwick,¹ but the Prince of Orange was favourable to his cause, though unable openly to support him.² For money the Queen sought far and near. She had a negotiation with the Duke of Lorraine for a loan of troops, and another with Venice for a loan of money.³ Even Mazarin, she fancied, hard pressed as he was, might be induced to advance money if he were allowed

The
Prince's
fleet at
Helvoet-
sluys.

A negotia-
tion with
Lorraine
and
Venice.

¹ Summons by the Lord Admiral, Sept. 19, *L.J.* x. 522.

² Memorandum by the Prince of Orange, Groen van Prinsterer, *Arch. de la Maison d'Orange Nassau*, ser. 2, iv. 267.

³ Digby to Ormond, Oct. $\frac{14}{21}$, *Carte MSS.* lvi. fol. 431.

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The
Queen's
hopes from
Ireland.

to import into France Irishmen who could be converted into soldiers.

It was, indeed, the growing strength of the Royalists in Ireland which, while it seemed to be the strongest, was in reality the weakest point in the hazardous game which the Queen was playing. Early in October Ormond landed at Cork,¹ once more as the King's Lord-Lieutenant, with instructions to knit closely together the bonds already forming between Inchiquin and the Confederates, and thus to construct out of the followers of both religions a united Royalist party, which might not only win Ireland for the King but might, in the end, win England as well. To keep up the communication between Ireland and the fleet at Helvoetsluys, the Prince was to winter in Jersey.² The garrison of Scilly having recently declared for the King, one more link was added to the chain which connected Ireland with the Dutch port in which the Royal navy was lying. As far as can be gathered from existing evidence, the Queen and her advisers intended that in 1649 Ireland should play the part which in 1648 had been assigned to Scotland.

The Prince
to go to
Jersey.Oct. 10.
A letter
from
Charles
to the
Queen.

It is impossible to doubt that Charles was cognisant of the plan of operations which was intended to restore him to power in the course of the coming year. "Now," he wrote to the Queen on the 10th, "lest the rumour of my concessions concerning Ireland should prejudice my affairs there, I send the enclosed letter to the Marquis of Ormond, the sum of which is to obey your command, and to refuse mine till I certify him I am a free man."³

¹ Ormond to Sir A. Blake, Oct. 4, *Carte MSS.* xxii. fol. 298.

² Nicholas to Ormond, Oct. $\frac{12}{22}$; Jermyn to Ormond, Oct. $\frac{15}{25}$; Nicholas to Ormond, Oct. $\frac{10}{20}$, *Ib.* xxii. foll. 360, 402, 438.

³ Extract from a letter from the King to the Queen, Oct. 10, *Ib.* xxii.

On October 27 Ormond's arrival in Ireland was known at Westminster, and on the following day the House of Commons came to the knowledge of a letter in which the King's Lord-Lieutenant offered to conclude peace with the Supreme Council,¹ as well as of other letters which showed that he was preparing in conjunction with the forces of the Confederates to attack Jones's army. Copies of these letters were at once forwarded to Charles with the request that he would publicly disavow them.² On the day on which this summons was despatched Charles wrote again to Ormond. "Though," he informed him, "you will hear that this treaty is near, or at least most likely to be concluded, yet believe it not; but pursue the way you are in with all possible speed." "Lastly," he wrote in another letter of the same date, "be not startled at my great concessions concerning Ireland, for that they will come to nothing."³

On November 1 Charles returned an evasive answer to the request of the Houses that he should disavow Ormond. He said that since the opening of the treaty he had never transacted business relating to Ireland with any but the Parliamentary commissioners, and that he had already consented that upon the conclusion of the treaty the Houses should have the sole management of the Irish War. He therefore considered it unreasonable that he should be pressed to make any public declaration on the point submitted to him.⁴

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Oct. 27.
Ormond's
landing
known at
West-
minster.Oct. 28.
Charles
asked to
disavow
Ormond.Charles
writes to
Ormond.Nov. 1:
Charles's
evasive
answer to
Parlia-
ment.

fol. 330 and 334. I have substituted 'I,' 'my,' for 'King of England,' and so forth, which are mere translations of ciphers.

¹ *C.J.* vi. 63.² *Walker*, 71; *L.J.* x. 569.³ The King to Ormond, Oct. 28, Carte's *Ormond*, v. 24; Carte's *Orig. Letters*, i. 185.⁴ *Walker*, 73.

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Oct. 28.
Danger
of a new
combina-
tion.

Though the details of Charles's communications with Ormond were unknown in London, the general impression produced by his attitude was in accordance with existing facts. "It is the opinion of wise men," wrote some one from Newport on October 28, "that if the King be resolved not to agree with Parliament he will escape hence to the Prince's fleet, leaving the Parliament and the army to their divisions, and to the discontents and hatred of the distracted people; . . . his Majesty hoping by the next spring to have as fair a game to play over again as he had this summer."¹

Oct. 20.
A perma-
nent settle-
ment de-
manded.

To anxiety resulting from knowledge of the personal character of the King was added anxiety caused by the temporary nature of the constitutional restraints hitherto proposed. A pamphlet issued on October 20 pointed out that even if Charles abandoned the control of the militia for twenty years the whole question of authority would be reopened at the end of that term, whoever might be on the throne at the time. "Grant him this," wrote the anonymous author, "and grant him all. Grant him but this to remain according to his request unquestionably in the Crown, and his negative vote also, and grant him to be a tyrant *in perpetuum*, both him and his . . . from generation to generation."² The necessity of making a permanent change in the constitution in the direction of Republicanism, and of executing justice on Charles as the cause of the late bloodshed, were ideas which now took root in many vigorous minds on which they had made no impression when they were first brought forward by the Levellers in the autumn of 1647. Demands of such a kind, and

¹ *Packets of Letters*, p. 5, E. 469, 21.² *The Royal Project*, E. 468, 22.

more especially the demand for justice, formed the staple of petitions which were beginning to come in both from soldiers and civilians,¹ and which culminated in an outspoken appeal from Ireton's regiment to Fairfax, asking him to stand up against those who had repealed the Vote of No Addresses, and to see that impartial justice was 'done upon all criminal persons,' and 'that the same fault' might have the same punishment in the person of King or Lord as in the person of the poorest commoner.² It was moreover understood that Ireton himself in his retirement at Windsor was drawing up an argumentative defence of the demands which formed the subject of these petitions. A conflict was evidently impending between Ireton and Fairfax, the result of which could not fail to be influenced by the course taken by Cromwell.

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Petitions
from
soldiers
and
civilians.Petition
from
Ireton's
regiment.Ireton
prepares
a demand
for justice
on the
King.

It was now known that Cromwell would soon be free to throw the weight of his presence and his sword into the balance of events in England. After turning back from Warrington Cromwell had still to deal with the forces under Monro and Musgrave, making in all about 7,000 men. Monro, however, not being on good terms with his English allies, made his way through Durham to the Borders, and crossing the Tweed into Scotland on September 8, left Musgrave to his fate. Lanark and the Committee of Estates, anxious to hold Cromwell back

Cromwell's
return
expected.Sept. 8.
Sir G.
Monro
retreats
into Scot-
land.

¹ See, for instance, the petitions from Oxford and Leicestershire brought before the House on Sept. 30, that styled *The Declaration of the Army* on Oct. 3, and those from Newcastle and from Sir W. Constable's regiment on Oct. 10. *The Moderate*, E. 465, 25; 466, 10; 468, 2.

² *The True Copy of a Petition . . . by . . . the Regiment under the Command of Com.-Gen. Ireton*, E. 468, 18. It was published on Oct. 19.

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The Whiggamore
Raid.

from carrying the pursuit across the Border, gave orders that no Englishman who had been in arms in conjunction with Hamilton or Monro should be admitted into Scotland.¹

By this time Cromwell was at Durham pushing steadily northwards. He soon learnt that he would not be without potent allies in Scotland itself. Argyle had seen in Hamilton's defeat an opportunity for recovering the power that he had lost. The ministers preached in his favour from one end of the country to the other. Lord Eglinton roused the stern Presbyterians of the west, who were known in Edinburgh as Whiggamores,² it is said, from the cry of Whiggam with which they encouraged their horses. The crowd of half-armed peasants who followed in Eglinton's train, and to whose incursion the name of the Whiggamore Raid was given, had the popular feeling behind them. They easily possessed themselves of Edinburgh, where old Leven secured the castle for them. David Leslie, who had refused to fight for Hamilton, placed his sword at the disposal of Argyle, and the Chancellor Loudoun, who had been long hesitating between the two parties, now openly deserted the Committee of Estates, and being himself a Campbell brought what authority he possessed to the support of the head of his family.³

Monro at
Stirling.

The Committee of Estates, thrust out of Edinburgh, took refuge under Monro's protection at Stirling, where they found themselves again opposed by the Whiggamores,⁴ who were now reinforced by Argyle's Highlanders, and by the followers of the few Lowland

¹ Musgrave's relation, *Clarendon MSS.* 2,867; *Burnet*, vi. 78, 79.

² This name is, as is well known, the origin of the later 'Whig.'

³ See Loudoun's explanation of his change of front, p. 339, note 3. An explanation discreditable to Loudoun is given in *Burnet's Hist. of his Own Time*, ed. 1823, i. 75.

⁴ *Burnet's Lives of the Hamiltons*, i. 81-83.

noblemen who adopted their cause. Lanark and the officers of Monro's army argued strongly in favour of fighting the insurgents, believing that it would be easy to gain a victory over their heterogeneous force. The members of the Committee of Estates were, however, too conscious of their political isolation to approve of such a course. They promptly opened negotiations, and on September 26 abandoned all claim to the government of the country. It was agreed that Sir George Monro's soldiers should return to Ireland, and that all persons who had taken part in the defence of the Engagement should resign whatever offices and places of trust they held in Scotland.¹

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Sept. 26.
The Whig-
gamores
trium-
phant.

That the agreement was seriously intended can hardly be doubted. In Ireland, however, it was no longer possible for Scottish soldiers to take an independent part. On September 16 Monk, who distrusted Robert Monro and suspected that he intended to support his nephew in maintaining the authority of the Hamilton party after its disaster at Preston, won over some of the Scottish officers and with their help surprised Belfast, Carrickfergus, and Coleraine, Robert Monro himself being sent as a prisoner to England and lodged in the Tower. When, therefore, Sir George Monro's soldiers in Scotland were making ready to cross into Ireland, they learnt that the landing-places were all in the hands of English garrisons, and that it had become impossible for them to gain a footing in that country. Wandering aimlessly about the Scottish Lowlands they were attacked and sadly maltreated by the Whiggamore peasants.²

Sept. 16.
Monk
surprises
Belfast and
Carrick-
fergus.

¹ *Burnet*, vi. 81-94; *Bloody News from Scotland*, E. 465, 22.

² *Burnet*, vi. 95, 96; *The Earl of Warwick's Summons*, E. 465, 15; *C.J.* vi. 41.

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Sept. 15.
Cromwell
summons
Berwick.Sept. 16.
Cromwell
applies to
the Com-
mittee of
Estates,Sept. 21.
and crosses
the Tweed.Sept. 22.
A con-
ference
at Mord-
ington.Sept. 30.
Berwick
surren-
dered.

On September 15, whilst the negotiation between the Scottish parties was still in progress, Cromwell summoned Berwick¹ and, receiving a dilatory answer from the commander of the garrison, applied formally to the Committee of Estates in a letter in which he set forth at length how God had at Preston decided the controversy between them, and asked for the restitution of Berwick and Carlisle, 'the ancient rights and inheritance'² of the kingdom of England.' If this demand was not granted Scotland must take the consequences. More hopefully did Cromwell accredit messengers to Argyle and his party, who had already on the 13th declared for the restoration of these fortresses to England.³ By the 21st he had brought his whole army across the Tweed, giving strict orders against plunder.⁴

On the following day a conference was held at Mordington, on the Scottish side of the Tweed, between Cromwell on one side and Argyle on the other, the result of which was an order to Ludowick Leslie, the governor of Berwick, to surrender the place. Leslie, however, declined to take orders from anyone but Lanark, and it was not till the 29th, after the agreement had been effected at Stirling, that Lanark confirmed the orders of Argyle. On September 30 Cromwell entered Berwick, and Carlisle surrendered a few days later. Musgrave, about the same time, gave up Appleby, and except Scarborough and Pontefract no post in England held out any longer against Parliament.⁵

¹ *Carlyle*, Letter lxx.² Carlyle is certainly wrong in interpreting these words to imply 'the right to choose our own King or No-King, and so forth.'³ *Carlyle*, Letters lxxi., lxxii.; Instructions from the Committee, Sept. 13, *Thurloe*, i. 100.⁴ Cromwell to Lenthall, Oct. 2, *Carlyle*, Letter lxxv.⁵ *Ib.*

The surrender of Berwick and Carlisle was not the only subject treated on at Mordington. Argyle, whilst his opponents still held out at Stirling, was anxious to secure the services of an English force to countenance the transference of authority which he meditated. Cromwell accordingly bade Lambert advance in all haste towards Edinburgh with six regiments of horse and one of dragoons, whilst a body of foot was ordered to follow as far as Cockburnspath in support.¹ Thus encouraged, the Whiggamore leaders constituted themselves without Parliamentary authority into a Committee of Estates.²

Having received permission from the English Parliament,³ Cromwell followed Lambert, arriving at Edinburgh on October 4, where he was honourably received and lodged in the Canongate in the house of the Earl of Moray. Argyle and Johnston of Warriston supped with him that evening. What passed between Cromwell and Argyle we have no means of knowing. The head of the English party of toleration could hardly long remain on good terms with the head of the Scottish party of intolerance; but for the present the alliance between the two was firmly enough cemented by their common enmity to Hamilton and the Engagers. On the 5th Cromwell presented to the new Committee of Estates a demand that, in accordance with the compact at Stirling, all who had supported the late Engagement should be removed from offices of trust in Scotland. On the following

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Lambert
sent
forward.Oct. 4.
Cromwell
in Edin-
burgh.Oct. 5.
His
demandsOct. 6
are agreed
to.

¹ Cromwell to Lenthall, Oct. 2, *Carlyle*, Letter lxxv.

² They had been named by Parliament to sit on the original committee (see p. 404), but with express injunctions not to do so unless they would acknowledge the proceedings of Parliament in support of the Engagement. This condition they now threw aside, at the same time excluding their rivals in virtue of the stipulations made at Stirling. *Burnet*, vi. 97.

³ *L.J.* x. 520.

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1648

Oct. 7.
Cromwell
leaves
Edin-
burgh.Oct. 8.
A recom-
mendation
to Col.
Mont-
gomery.

day he received an unconditional promise from the committee that they would do what after all was no more than their interest required. On the 7th Cromwell left Edinburgh on his return to England, leaving Lambert with two regiments of cavalry to protect Argyle and his committee from the Engagers.¹

Before leaving Scotland Cromwell gave a letter of recommendation to Colonel Robert Montgomery, who was about to start for England, begging the House of Commons to grant the bearer an order for 2,000 Scottish prisoners.² Montgomery's intention was to sell them to the King of Spain for service in the Low Countries. When, however, he reached England he found that two shiploads of the prisoners had more or less voluntarily engaged to go to the foreign plantations,³ a phrase which was probably in this case a euphemism for Barbadoes. As large numbers of their comrades had been allowed to run home to Scotland in order to save their keep, it was not without difficulty that Montgomery got together the 2,000 he required. His next difficulty was that the Spanish Government, which never had much money to spare, omitted to make the expected remittance, and after some time Montgomery, wearied with its delays, proposed to transfer his recruits to France. The sum which he demanded for them was, however, regarded as exorbitant by Grignon, the French ambassador, and the negotiation dragged on without result till the catastrophe arrived which put an end for the time to the residence of French ambassadors in England.⁴

¹ Cromwell to the Committee of Estates, Oct. 5, *Carlyle*, Letter lxxvii.; *L.-G. Cromwell's Letter*, E. 468, 19; *A True Account*, E. 468, 26.

² Cromwell to Lenthall, Oct. 8, *Carlyle*, Letter lxxviii.

³ *L.J.* x. 572.

⁴ Grignon's despatches constantly refer to this affair.

On October 14 Cromwell was at Carlisle.¹ After a short delay he marched into Yorkshire, where he took up his quarters at Knottingley, to enforce if possible the submission of Pontefract and Scarborough. Hopeless as was their position the garrisons of these two fortresses had no thought of surrender. Desperate men are ready for any deed of violence, and the knowledge that Rainsborough, who was known as having been one of the first to advocate a trial of the King, had now reached Doncaster with his regiment, whetted their desire for vengeance. On October 29 a party sallied out of Pontefract and rode into Doncaster, where they gained admission into Rainsborough's lodgings on the pretence that they brought him a message from Cromwell. On his refusal to accompany them as a prisoner they shot him dead. Slipping away before the alarm was given the murderers regained Pontefract in safety, rejoicing in a deed which did more than anything else to quicken a cry for blood in the hearts of the Independents.²

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Oct. 14.
Cromwell
at Carlisle.He
advances
on Knott-
ingley.Oct. 29.
Rains-
borough
murdered¹ *C.J.* vi. 57.² *A Full and Exact Relation*, E. 470, 4; *The Moderate*, E. 470, 12; *Packets of Letters*, E. 470, 17.

CHAPTER LXVII.

THE REMONSTRANCE OF THE ARMY.

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1648

Oct.

A demand
for justice
without
respect of
persons.Ireton
completes
The
Remon-
strance
of the
*Army.*Danger of
continuing
the nego-
tiation
with the
King.

ABOUT the middle of October the cry for justice without respect of persons had been raised more definitely than ever before in the petition of Ireton's regiment.¹ The general approbation accorded that cry by the soldiers strengthened the hands of Ireton, who by that time, or at least not long afterwards, had completed the long manifesto which for brevity's sake is usually known as *The Remonstrance of the Army*.²

The whole argument of this Remonstrance ranges round two theses: the danger of continuing to treat any longer with the King, and the justice and expediency of bringing him to trial. On the first head the Remonstrance pointed out that by stirring up internal war and by inviting the Scots into England the King appeared to have had no other aim than that of convincing the nation that it could have no peace till he was himself restored to power.³ To negotiate with him after this would be to acknowledge that his position was independent of the nation, and of such acknowledgment he was sure to take advantage,

¹ See p. 487.

² *A Remonstrance of his Excellency, Thomas Lord Fairfax, General of the Parliament's Forces, and of the General Council of Officers held at St. Albans, the 16th of November, 1648, E. 473, 11.* The date is that of the meeting of the council of officers. The Remonstrance itself was finally adopted on the 18th. The form printed in Rushworth is a mere abstract.

³ *A Remonstrance*, 18.

assuming that all reforms to which he gave his consent were merely ‘concessions from his will.’ It might further be doubted whether the King would consider himself bound by any engagements he might make. He had violated all those into which he had hitherto entered, and had been at all times ready to revenge himself upon his opponents, as in the cases of the members whom he imprisoned in 1628, and of the members whom he attempted to seize in 1642.¹

Moreover, there was no form of words which Charles would hold to be binding. “We know besides, what Court maxims there are amongst the King’s party concerning some fundamental rights of the Crown which the King cannot give away, and their common scruple whether a King granting away such or any other hereditary crown rights can oblige his heirs and successors, or exclude their claim; but if all other pretexts fail, their non-obligation to what is wrested from them by force in a powerful rebellion, as they count it, will serve such a King’s conscience for a shift to make a breach where he finds his advantage.”²

Difficulty
of binding
him.

Such was the language of a man, who having, like Ireton, watched Charles’s acts and words, had the penetration to deduce from them correctly the secret workings of his mind. Suppose, he continues in effect to say, the King has been restored under the present treaty, has submitted to all the obligations you are seeking to put upon him, will he not have the credit of bringing back peace, and will not he thereby become immensely popular? How then can he be restrained from breaking his word, except by keeping up the existing army to compel him to observe it. In that case, however,

What will
happen if
the King is
restored?

¹ *A Remonstrance*, 29.

² *Ib.* 32.

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the taxation needed for the purpose will weigh the army down with an irresistible burden of unpopularity, thus making it unnecessary for the King to resort to force to gain his ends.¹ Each Parliamentary party will endeavour to have the King on its side in its struggle with its opponents. The small boroughs easily accessible to influence will be mainly in his hands and in the hands of the Cavaliers, and he will thus have the majority of the House of Commons at his disposal.²

The Sovereignty of the People.

It was, however, easier to point out the dangers of a restoration than to provide a substitute for monarchical government. In making the attempt, Ireton started with the doctrine afterwards known as that of 'the Sovereignty of the People.'³ The Supreme Council or Parliament, he declared, ought 'to consist of deputies or representatives freely chosen by' the people, 'with as much equality as may be, and those elections to be successive and renewed either at times certain and stated, or at the call of some subordinate officer or council entrusted by them for that purpose.' This Supreme Council was to make laws and to exercise judicial power over public offenders, 'either according to the law where it has provided, or their own judgment where it has not.'⁴

Question of the King's trial.

Then turning to the question of subjecting the King to such judicial power, Ireton urged that Charles had been guilty of an attempt to convert a limited into an absolute monarchy, and had thereby shown himself to be a traitor in the highest degree. Nor was the question merely one of inflicting punishment

¹ *A Remonstrance*, 36.

² *Ib.* 42-46. This is a curious anticipation of the Parliamentary system of George III.

³ No doubt in speaking of the people he limited his meaning those who had a stake in the country. See p. 226.

⁴ *A Remonstrance*, 15, 16.

for past misconduct. There never could be any safety against tyranny, unless it were shown to future generations of kings that no king was above human law, and therefore practically irresponsible.¹

On this reasoning Ireton based five demands: 'That the capital and grand author of our troubles, the person of the King,—by whose commissions, commands or procurement, and in whose behalf, and for whose interest only, . . . all our wars and troubles have been, with all the miseries attending them,—may be speedily brought to justice for the treason, blood, and mischief he is therein guilty of; ' that the Prince of Wales and the Duke of York should be summoned to surrender for trial on pain of being declared incapable of governing, and sentenced to die without mercy if found in England or its dominions; that capital punishment might be executed on a sufficient number of the King's instruments in both wars; that other delinquents should be moderately fined; and, finally, that the soldiers might receive payment of their arrears.²

The King
to be
brought to
justice.

It may well have been that in the beginning of November Ireton considered that the time was come to lay his draft before the representatives of the army, and though there is no evidence on the subject, it is

Ireton and
Fairfax.

¹ *A Remonstrance*, 20, 27.

² *Ib.* 62–65. Thus far *The Remonstrance* was mainly if not entirely the work of Ireton. Not only are the thoughts his, but there is contemporary evidence to that effect. "This Declaration was both hatched and penned by his," *i.e.* Cromwell's, "son Ireton against the consent of the General." Letter of Intelligence, Nov. 20, *Clarendon MSS.* 2,920. Lilburne, too, speaks of great ones at head-quarters 'whose high and mighty Declaration, drawn by Ireton at Windsor, when he pretended to lay down his commission.' *Legal, Fundamental Liberties*, p. 31, E. 560, 14. According to *Merc. Pragmaticus* (E. 473, 35), Ireton was assisted by Hugh Peters. How a later addition was made to the *Remonstrance* will appear farther on.

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A Council
of Officers
to meet.

probable that he urged Fairfax to summon once more the full Council of the Army to take it into consideration. What Fairfax did was to summon a Council of Officers alone, to meet at St. Albans on November 7, thus excluding the Agitators whose voices might be expected to be given in Ireton's favour rather than in his own.

Nov. 7-9.
Its first
meeting.

On the appointed day the sittings of this council were opened in the old Abbey Church of St. Albans. The first day's meeting was mainly occupied with prayers and a sermon; the meetings of the 8th and 9th with complaints of the niggardliness of Parliament in withholding the soldiers' pay, and in omitting to provide for the widows and orphans of those who had fallen in its service. It was not till the 10th that the main question was reached, and it is probable—though here again direct evidence is wanting—that Ireton's draft was then laid before the council. If so its drastic proposals did not fail to stir opposition, many of the colonels taking alarm lest the army should be discredited as being the chief fomentor of the troubles of the nation, and combining in expressing a 'wish that the hearts of King and kingdom' might 'be knit together in a threefold cord of love.'¹

Nov. 10.
Ireton's
draft con-
sidered.Opposition
of the
colonels.Nov. 11.
A petition
from three
regiments.Fairfax
declares
his mind.

It was, perhaps, to counteract this unexpected demonstration that, when the council met again on the 11th, a strongly-worded petition from the three regiments of Fleetwood, Whalley, and Barkstead was presented to Fairfax.² Fairfax was not to be thus intimidated. Nothing, he said, was 'so dear to him as the complete settling of the liberties and peace of

¹ *The Representations and Consultations of the General Council of the Army*, E. 472, 3. The name General Council was frequently used from habit of this council of officers.

² *A Petition from several Regiments*, E. 470, 32.

the kingdom.' He would, therefore, 'proceed to such things as may give most hopes of justice and righteousness to flow down equally to all, without any overture tending to the overthrow of the government of the kingdom,' and would 'clearly commit his share of interest in this kingdom into the common bottom of Parliament, and when his Majesty' should 'give his concurrence to what is tendered, and what else shall be proposed by the Parliament necessary for procuring the rights and liberties of the people,' he would 'to the utmost of his endeavour maintain and defend his Majesty and his Parliament in that just, long-desired agreement.'¹

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Under any circumstances such a declaration would have carried weight. As matters stood it was absolutely decisive. It was impossible for Ireton and his supporters to confront King and Parliament in opposition to their own general. In order to find a way out of the difficulty a compromise appears to have been agreed to. On the one hand, when the question was put 'whether they should acquiesce in the results of the treaty,' it was carried in the affirmative, only six votes, it is said, being given to the contrary. On the other hand, it was resolved that the army should intervene in the negotiation, by submitting to Charles certain indispensable conditions, which, if he accepted them, were afterwards to be laid before Parliament. On this the council adjourned to the 16th, apparently in order to afford time for the consideration of the proposed conditions before they were finally adopted.² On the 15th an informal meeting of officers was held at the Bull's

A compromise
agreed to.Nov. 15.
Meeting of
officers.

¹ *The Representations and Consultations, &c.*, E. 472, 3.

² Letter from St. Albans, Nov. 14, *Packets of Letters*, E. 472, 9;
——? to Joachimi, Nov. $\frac{17}{27}$, *Add. MSS.* 17,677, T, fol. 283. That

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A conference
between
Levellers
and
soldiers.

Head Inn, which ended in their declaring ‘their most pious and unanimous resolutions for peace.’¹

That Ireton expected that the overture about to be made would be attended with successful results is in the highest degree improbable, and he had been for some time in communication with Lilburne, from whom he hoped to find support. It had been at Cromwell’s suggestion that conferences had recently been held between a number of the Levellers and the more thoroughgoing Independents of the army, including, as may fairly be presumed, many of the Agitators who had been excluded by Fairfax from the council.

A difference
of
opinion.

The first conference elicited an unexpected difference of opinion. The first thing to be done, according to the soldiers, was ‘to cut off the King’s head, and force and thoroughly purge, if not dissolve, the Parliament.’ To this Lilburne took exception. It was true, he said, that the King was ‘an evil man in his actions, and divers of his party as bad,’ but that was no reason for trusting the army with political power. It was the people’s interest ‘to keep up one tyrant to balance another,’ and not ‘to devolve all the government of the kingdom into the wills and swords of the army.’

After this explosion, those present at the conference there was practical unanimity in the council is known from a letter written on the 17th to Hammond by Ireton and three other colonels. “It hath pleased God, and we are persuaded in much mercy, even miraculously to dispose the hearts of your friends in the army, as one man . . . to interpose in this treaty, yet in such wise, both for matter and manner as, we believe, will not only refresh the bowels of the saints and all other faithful people of this kingdom, but be of satisfaction to every honest member of Parliament when tendered to them and made public, which will be within a very few days.” *Letters between Hammond and the Committee . . . at Derby House*, 87.

¹ *A Remonstrance from the Army*, E. 472, 13.

ference quieted down, and it was resolved that a committee of both sections should be appointed to meet the difficulty. This committee accordingly met in London, at the Nag's Head Tavern, on November 15, the very day on which the officers at St. Albans were giving expression to their desire for peace with the King. The committee came to the conclusion that an agreement, apparently on the lines of the old *Agreement of the People*, should be drawn up, and that it would meet again at head-quarters to give effect to this purpose. Accordingly, either on the 16th or 17th, it moved to St. Albans, where, finding that time was pressing, as there was little likelihood that the King's answer to the overtures from the army would be long delayed, it determined that it would be sufficient for the present to add some paragraphs to the draft of the Remonstrance. These paragraphs were to point in the direction of the proposed agreement, on the understanding that until both sections of the committee were at one in this matter, no attempt should be made by the army to dissolve Parliament by force.¹

Even if this circumstantial statement had never reached us, it would have been easy to discover, from internal evidence alone, that much in the concluding

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Nov. 15.
A com-
mittee at
the Nag's
Head.

Nov. 16 (?)
A tem-
porary
measure.

An addi-
tion to the
Remon-
strance.

¹ The story is mainly taken from Lilburne's *Legal, Fundamental Liberties*, pp. 29, 30, E. 560, 14. Lilburne speaks there of the necessity of making the addition at once, and though he gives no reason for haste, it is obvious that he must have been thinking of the necessity of being ready when the King's answer arrived. On the 15th some Agitators wrote to the citizens of London protesting against the idea of their being against the treaty 'provided that we may be assured of security for the future, our arrears paid, the great burden of the kingdom removed and taken off, religion settled, and the subject freed from all tyranny and oppression either from Prince or representatives.' *A Remonstrance from the Army*, E. 472, 13. The writers were probably those who sat on the Nag's Head Committee.

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A consti-
tutional
compro-
mise.Restric-
tions on
future
Parlia-
ments.

paragraphs of the Remonstrance in its final shape either proceeded from some other pen than Ireton's, or were at least written by him under the influence of the Levellers. The constitutional provisions bear the appearance of a compromise between the author of *The Heads of the Proposals* and the authors of the *Agreement of the People*. Parliament is to be required, after fixing a date for its own dissolution, and providing for its biennial successors, to ordain that all who had fought on the King's side should be excluded from voting at elections or sitting in Parliament for 'a competent number of years,' and the same condition was to be imposed on all who should 'oppose or not join in agreement to this settlement.' Parliaments thus chosen were to have supreme power with two reservations: first, that they might not question anyone for the part taken by him in the civil war, except so far as had been determined by the existing Parliament; and, secondly, that they might not take away 'any of the foundations of common right, liberty, or safety, contained in this settlement or agreement.' Further, any representative in Parliament was to be at liberty to enter his dissent, that the people might have an opportunity of judging how far he had been faithful to his trust. Moreover no future king was to be admitted 'but upon the election of, and as upon trust from the people, by such their representatives, nor without disclaiming and disavowing all pretence to a negative voice against the determinations of the said representatives or Commons in Parliament.'¹

¹ Apparently some of these constitutional provisions are taken from Ireton's original draft, others from the suggestions of Lilburne and his followers. There is no clearly cut line between the two parts of the Remonstrance. It would be curious to know who first suggested the idea of an elective monarchy.

‘These matters of general settlement’ were to be proclaimed by Parliament or ‘by the authority of the Commons therein, and to be further established by general contract or agreement of the people with their subscriptions thereunto.’ No one, moreover, was to ‘benefit by this agreement who shall not consent and subscribe thereunto; nor any king be admitted to the crown, or other person to any office or place of public trust, without express accord or subscription to the same.’¹

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An Agree-
ment of the
People
demanded.

Between the earlier and the later parts of the Remonstrance there is an evident breach of continuity. In the one the basis of the constitution is the sovereignty of the people; in the other, the acceptance of a certain constitutional scheme not yet accepted by any legal or popular authority. In this, as in other respects, such as the absence of a House of Lords and the establishment of an elective monarchy without a negative voice—this part of the Remonstrance foreshadowed *The Instrument of Government* which, four years later, was issued as the constitutional charter of the Protectorate. On the other hand, the Council of State which played so important a part both in *The Heads of the Proposals* and in *The Instrument of Government* is here passed over in silence.

Contrast
between
the two
parts of the
Remon-
strance.*The
Instru-
ment of
Govern-
ment* fore-
shadowed.

On November 16, whilst Ireton and the Levellers were working together in amending and completing the Remonstrance, the Council of Officers despatched to the King the proposals which had been put into shape since its last meeting on the 11th.² In these Charles was asked to grant no mere temporary concessions to last for ten or twenty years, but a permanent constitutional settlement. A period was to be fixed by statute to the sitting of the existing Parliament, and its

Nov. 16.
The army's
final over-
ture to
the King.¹ *A Remonstrance from the Army*, 65-67.² See p. 499.

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place was to be taken by biennial Parliaments in which the House of Commons was to be elected under an improved system as far as the distribution of seats was concerned, though no provision was made for lowering the franchise. The militia was to be superintended by a Council of State, and the great officers of the crown to be appointed by Parliament for ten years, and after that by the King, whose choice was however to be limited to selection out of three names submitted to him by Parliament. Only five Englishmen were to be excepted from pardon, the compositions of all other Royalists being fixed at a moderate sum. The army was for the present to be kept on foot, and a fixed establishment provided for it, but only till two months had elapsed after the meeting of the first biennial Parliament, to which would thus be given a free hand in all matters relating to the defence of the realm.

On acceptance the King to be restored.

Such were the main conditions on the acceptance of which the Council of Officers professed its readiness to restore the King, the Queen, and their royal issue 'to a condition of safety, honour, and freedom in this nation, without diminution to their personal rights, or farther limitation to the exercise of the regal power.'¹ Like the Four Bills, presented twelve months before, this overture omitted all reference to the ecclesiastical questions in dispute, and did not directly touch on the burning question of the negative voice. Practically, however, by depriving Charles of control over the armed force and the appointment of officials, it made it impossible for him, if he once accepted the conditions, to set the will of Parliament at defiance, and virtually asked him to substitute a monarchy of influence for a monarchy of authority.

Nature of the changes required.

¹ *His Majesty's Declaration*, E. 473, 5.

Nurtured as he had been in the traditions of the Tudors and the Stuarts, Charles was, in short, required to anticipate, in all essential points, the system which prevails in the reign of Victoria.

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Though Ireton had consented to the transmission of these proposals to Newport, it is most unlikely that he anticipated anything else than their summary rejection. For some days news had been arriving from the Isle of Wight which gave little reason to expect that the King would be found in a yielding mood. On the 12th Charles again wrote to Hopkins¹ to inquire about the tides and the stations of the guards which he would have to evade after succeeding in getting clear of the Castle.² As had happened before, his project was betrayed to the Committee of Derby House, and on the 13th the committee wrote to inform Hammond that the King intended to escape and to make for Gosport on the night of the 16th or 17th.³

Ireton
does not
expect a
favourable
answer.

Charles
again
prepares
to escape.

If there was nothing now disclosed to indicate Charles's further intentions, a belief was abroad that if he were once free he would put himself at the head of the force which Ormond hoped to gather together in Ireland in the following year. Moreover there had been, soon after the overthrow of the Scots at Preston, a complete change in the management of the fleet in Holland. The Presbyterian Vice-Admiral, Lord Willoughby of Parham,⁴ had been discarded, and Rupert appointed in his place. There was no mystery about Rupert's intention to act in combination with Ormond. "The seamen," according to a

His
supposed
projects.

The fleet
under
Rupert.

¹ See p. 482.

² The King to Hopkins, Nov. 12, Wagstaffe's *Vindication* (ed. 1711), App. 163.

³ Com. of D. H. to Hammond, Nov. 13, *Letters between Hammond and the Com. of D. H.* 85.

⁴ See p. 422.

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London newspaper, "report that, if they are not all pleased when the treaty comes to a period, they can prevail with Tromp to conduct them out of the harbour, and when they are on the main, they'll get away in an Irish mist, which is now thicker than a Scottish." ¹

Nov. 17.
A letter
from four
colonels.

Under these circumstances Ireton, knowing as he did that, if Charles succeeded in getting away, all constitutional arrangements would be made in vain, joined three other colonels, Harrison, Desborough, and Grosvenor, in writing a letter to Hammond on the 17th, the day on which the overtures from the army were being brought under Charles's eye. After touching on the excellence of these overtures and on the desire of everyone in the army that peace may be secured,² the four colonels turned to a subject which would brook no delay. "Considering," they wrote, "of what consequence the escape of the King from you in the interim may prove, we haste this despatch to you, together with our most earnest request that, as you tender the interest of this nation, of God's people, or of any moral men, or as you tender the ending of England's troubles, or desire that justice and righteousness may take place, you would see to the securing of that person from escape, whether by returning him to the Castle, or such other way as in thy wisdom and honesty shall seem meetest." Then follow words significant of the relations now existing between Fairfax and the writers. "We are confident," they proceed, "you will receive in a few days the duplicate of this desire, and an assurance from the General and Army to stand by you in it; and, in the mean time, for our parts, though it may not be very considerable to you, we do hereby engage to own

Hammond
not to
allow the
King to
escape.

The four
colonels
expect to
be sup-
ported by
the army.

¹ *The Perf. Weekly Account*, E. 472, 10.

² See p. 499, note 2.

you with our lives and fortunes therein, which we should not so forwardly express, but that we are impelled to the premises in duty and conscience to God and man.”¹

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Evidently Ireton was secure of the acceptance of the Remonstrance by the Council of the Army in the event of Charles's rejection of the last overture. On the 17th, the day on which the letter of the four colonels was written, Charles briefly, though in characteristically indirect fashion, rejected the terms laid before him. He was willing, he replied, writing either to Fairfax or to the Council of Officers, to annul all declarations against Parliament and to consent to an act of oblivion embracing all his subjects. It would, however, be necessary for him to come to London if he was to put into formal shape his other concessions. "These," he added, "being perfected, his Majesty believes his two Houses will think it reasonable that the proposals of the army concerning the succession of Parliaments and their due elections should be taken into consideration." Not only had he, by implication, acknowledged the nullity of the concessions already offered by him at Newport, but by ignoring all the demands for security made by the Council of Officers, and by offering to submit its constitutional proposals to a Parliament which detested the army, he practically set both Parliament and army at defiance.

Charles
rejects the
overture of
the army.

By this time Charles's favourite plan of balancing one party against another was thoroughly discredited. Even the Houses had not been moved by the proceedings at St. Albans to throw themselves into his arms. It is true that on the 13th the House of Lords, being in desperate straits for money, agreed to

Nov. 13.
Hamilton
to be
liberated

¹ Ireton and others to Hammond, Nov. 17, *Letters between Hammond and the Com. of D. H.* 87.

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The King
to accept
the pro-
positions
as they
stand.Nov. 18.
The
Council of
Officers
adopts *The
Remon-
strance
of the
Army.*Nov. 20.
It is pre-
sented to
the House
of Com-
mons.Attitude of
the House.

liberate Hamilton on payment of a fine of 100,000*l*. Yet on the 15th the two Houses concurred in a vote that Charles himself should be 'settled in a condition of honour, freedom, and safety' only upon his agreeing to accept without alteration the propositions which he had rejected or amended at Newport.¹

The Council of Officers was likely to take still more active measures. Charles had made the path easy to those who were compassing his destruction, and when, on the 18th, his reply was read in the council, the only dissentients to the acceptance of the Remonstrance were Colonel Rich and Captain Cecil.² Fairfax, resolute in the field, had no intellectual initiative, and was therefore no match for Ireton in council.

On the 20th the Remonstrance was presented to the House of Commons by Colonel Ewer and some other officers in the name of the whole army.³ It was only natural that an attempt to cut the constitutional knot by the intervention of the army should be resented by a body of men who still hoped, however unreasonably, to solve all difficulties by argument. It is true that the Commons could not regard the question from the purely Royalist point of view, as they believed as firmly as the army that the King had attempted for the sake of power to change a limited into an absolute monarchy, and that he must in some way or other be subjected to Parliamentary control. Yet they detested the idea of making parliaments democratic, and still more the idea of allowing the army in any way to influence the decisions of the Houses. It was no blame to the majority of the members that they shrank instinctively from the proposal to bring the King to trial, not only as subversive

¹ *L.J.* x. 587, 592.² *Merc. Militaris*, E. 473, 8.³ *C.J.* vi. 81.

of the traditional respect for monarchy, but also as tending to overthrow that respect for law upon which their own claim to reverence was based.

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Whether the House of Commons had any means of offering permanent resistance to the army may well be doubted, but it is certain that it would be unable to gain even a tactical success unless it opened its eyes to those radical facts to which it had long been blind. The root of the matter lay in the acknowledgment by the army that, from good motives or bad ones, Charles never would consent to those changes in the constitution which Presbyterians and Independents concurred in desiring, and that he must therefore either be restored on his own terms—that is to say, with no more than a temporary abandonment of his right of appointing officials, controlling the armed force, and hindering legislation by his possession of a negative voice—or he must not be restored at all. It was indeed possible that if the House promptly concurred with the demand of the Remonstrance by dethroning the King, it might win over to its side Fairfax and those who had supported him in the first meetings of the Council of Officers, and thus reduce the army for a time to impotence by dividing it in twain.

Logical defects in the position of the House.

That the Commons should take so bold a step was not to be expected. Large bodies of men are incapable of sudden changes of position, and the House, on receiving the Remonstrance, obeyed its instinct of inertness by simply postponing its consideration to the 27th. On the following day it proceeded to discuss the treaty with the King, as though he could ever be won to adopt the constitutional views which were accepted at West-

The Commons postpone consideration of the Remonstrance.

¹ *C.J.* vi. 81.

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Nov. 18.
Names of
those to be
banished,Nov. 21,
and of
those to be
excepted
from
pardon.Nov. 17.
Charles
stands
firm about
Ormond,Nov. 21,
and about
the ChurchNov. 25.
The nego-
tiation
prolonged.Charles's
letter to
Ormond.

minster.¹ In one respect, indeed, the Houses hoped to give satisfaction to Charles. On the 18th they had concurred on the names of seven persons to be banished, namely, Norwich, Holland, Capel, Loughborough, Lingen, Laugharne, and Owen,² every one of whom had been a promoter of the recent insurrections. On the 21st, the day after the Remonstrance had been presented, they also concurred on the names of seven persons to be absolutely excepted from pardon. Of these only one, Judge Jenkins, was within their power, whilst the other six, Newcastle, Digby, Byron, Langdale, Grenville, and Dodington had already escaped to the Continent, so that in their case the sentence was merely equivalent to one of banishment for life.³

If the Houses expected to win Charles by any concessions short of absolute submission, they were soon undeceived. On the 17th, the day on which he defied the army, he defied the Houses by again refusing to change his answer on the subject of his directions to Ormond. On the 21st he declared that he would not go a step beyond his former offer relating to the Church. Episcopacy might be suspended for three years and limited when the three years came to an end, but it must not be abolished, nor were the bishops' hands to be alienated in perpetuity.⁴ When these answers reached London the Houses could not resolve on any definite course, and on the 25th they contented themselves with extending the time of the negotiation to the 27th. Before that day arrived Charles threw a sop to them by placing in the hands of their commissioners a letter to Ormond

¹ *C.J.* vi. 82.² *L.J.* x. 590, 596.³ *Ib.* x. 587, 595, 599.⁴ *Walker*, 81; *Peck's Desid. Curiosa*, 404.

requiring him to desist from any further dealings with the Irish Confederates.¹

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On November 27 the commissioners took leave of Charles, carrying with them his final answers, and the letter to Ormond, which, as he had previously instructed the Lord Lieutenant to disregard anything he might write in captivity, was absolutely valueless.²

Nov. 27.
The commissioners take leave of Charles.

Though this particular act of duplicity remained for the present undiscovered, the army had knowledge enough of Charles's double dealing to render it increasingly impatient of the persistence with which the Houses were attempting to set him again upon the throne. It was, moreover, by this time known at St. Albans that Cromwell was at last prepared to support the main contention of the Remonstrance—the demand for the execution of justice upon all offenders without respect of persons.

The army impatient.

Cromwell agrees with Ireton.

Enough of Cromwell's correspondence of this time has been preserved to enable us to some extent to follow the growth of this resolve in his mind. A letter written by him to Hammond on November 6,³ before the meeting of the Council of Officers at St. Albans, bears evidence of Cromwell's inability as yet definitely to make up his mind on the great question of the trial of the King. It appears from this letter that Cromwell had heard that a party amongst the Independents, including Vane,⁴ Pierrepont, and Hammond, in their alarm at the thoroughgoing reforms

Nov. 6.
Cromwell's letter to Hammond.

Some of the Independents wish to restore the King.

¹ The King to Ormond, Nov. 25, *Walker*, 95.

² See p. 484.

³ Cromwell to Hammond, Nov. 6, *Clarke MSS.* This letter is signed Heron's Brother. Heron stands for Vane, whom Cromwell constantly styles his brother. It begins 'Dear Robin' like all Cromwell's letters to Hammond, and the language is unmistakeably Cromwell's.

⁴ For Vane's anxiety to come to terms with the King, see p. 475.

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Cromwell's
distrust of
Charles.He depre-
cates
offence
being
taken with
Levellers,and objects
to accept-
ing the
King's
restoration
with
moderate
Episco-
pacy.

demanding by the Levellers, were anxious to come to an understanding with the King on the basis of moderate Episcopacy and toleration. It was to this state of opinion that he now addressed himself.

"Dear Robin," wrote Cromwell, "I trust the same spirit that guided thee heretofore is still with thee. Look to thy heart; thou art where temptations multiply. I fear lest our friends should burn their fingers, as some others did not long since, whose hearts have ached for it.¹ How easy it is to find arguments for what we would have; how easy to take offence at things called Levellers, and run into an extremity on the other hand, meddling with an accursed thing. Peace is only good when we receive it out of our Father's hand, most dangerous to go against the will of God to attain it. War is good, when led to it by our Father; most evil when it comes from the lusts that are in our members. We wait upon the Lord who will teach us and lead us, whether to doing or suffering. Tell my brother Heron,² I smiled at his expression concerning wise friend's³ opinion, who thinks that the enthroning the King with Presbytery brings spiritual slavery, but with a moderate Episcopacy works a good peace. Both are a hard choice; I trust there's no necessity of either, except our base unbelief and fleshly wisdom make it so; but if I have any logic it will be easier to tyrannise having that he likes and serves his turn, than what you know and all believe he so much dislikes;⁴ but, as to my brother himself, tell him

¹ Probably alluding to his own and Ireton's efforts to win the King in 1647.

² *i.e.* Vane.

³ Probably Pierrepont. Both Vane and Pierrepont were at Newport as commissioners for the treaty.

⁴ *i.e.* easier for the King to tyrannise with Episcopacy than with Presbytery.

indeed I think some of my friends have advanced too far, and need make an honourable retreat."

Cromwell was influenced by his own experience in Scotland. If he had come so easily to an understanding with Argyle, why should it be difficult to come to an understanding with the Presbyterians in England? "I hope," he continued, "the same experience will keep thy heart and hands from him against whom God hath so witnessed, though reason should suggest things never so plausible. I pray thee tell my brother Heron thus much from me, and if a mistake concerning our compliance with Presbytery perplex an evil business—for so I account it—and make the wheels of such a chariot go heavy, I can be passive and let it go, knowing that innocency and integrity lose nothing by a patient waiting upon the Lord."

Evidently some of Cromwell's Independent friends had been blaming him for coming to terms with Argyle. "Our papers," he continues in self-justification, "are public. Let us be judged by them. Answers do not involve us.¹ I profess to thee I desire from my heart—I have prayed for it—I have waited for the day to see union and right understanding between the godly people—Scots, English, Jews, Gentiles, Presbyterians, Independents, Anabaptists, and all. Our brothers of Scotland—really² Presbyterians—were our greatest enemies. God hath justified us in their sight—caused us to requite good for evil—caused them to acknowledge it publicly by acts of State and privately, and the thing is true in the sight of the sun; it is a high conviction upon

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An alliance
with the
Presby-
terians
preferable.

Cromwell
justifies
his alliance
with
Argyle.

¹ *i.e.* We are bound by our own words, not by the answers made by the Scots. Cromwell perhaps refers to the answer made by the Committee of Estates on Oct. 6, in which they speak of 'these covenanted kingdoms.' E. 468, 19.

² *i.e.* not merely politically.

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them. Was it not fit to be civil, to profess love, to deal with clearness with them for the removing of prejudice; to ask them what they had against us, and to give them an honest answer? This we have done, and no more; and herein is a more glorious work in our eyes than if we had gotten the sacking and plunder of Edinburgh, the strong castle into our hands, and made a conquest from the Tweed to the Orcades; and we can say, through God, we have left such a witness amongst them, as if it work not yet, by reason the poor souls are so wedded to their government,¹ yet there is that conviction upon them that will undoubtedly have its fruit in due time."

New elec-
tions in
Scotland.

The
example
one to
be con-
sidered.

One lesson more Cromwell drew from his experience in Scotland. The new Committee of Estates had taken on itself to dissolve the late Parliament and to order fresh elections. "I have," wrote Cromwell, "one word more to say. Thy friends, dear Robin, are in heart and profession what they were; have not dissembled their principles at all. Are not they a little justified in this, that a lesser party of a Parliament hath made it lawful to declare the greater part a faction, and made a Parliament null and called a new one, and to do this by force, and this by the same mouths that condemned it in others? Think of the example and of the consequence, and let others think of it too, if they be not drenched too deep in their own reason and opinion." To cut the knot of the constitutional difficulty in England not by a mere forcible expulsion of members, but by a forcible dissolution followed by new elections, was the expedient which, at least for the moment, commended itself to Cromwell's mind.

¹ *i.e.* the Presbyterian government of the Church.

In this letter, written by Cromwell on November 6, there is no indication whatever of any wish to bring the King to trial, and no definite indication of any wish even to dethrone him. A fortnight later all was changed. On the 20th, after Cromwell had had time to digest the answer given by Charles on the 17th to the army's demand for security,¹ he forwarded to Fairfax a bundle of regimental petitions couched in what was now the usual style. "I find," he wrote, "a very great sense in the officers . . . for the sufferings and the ruin of this poor kingdom, and in them all a very great zeal to have impartial justice done upon offenders; and I must confess I do in all, from my heart, concur with them, and I verily think and am persuaded they are things which God puts into our hearts."²

By this time, too, Cromwell was growing impatient of the proceedings of the Presbyterians at Westminster. Amongst the prisoners in his custody was Sir John Owen, who had headed a rising in North Wales,³ and had in consequence been voted a traitor. Cromwell now received an order to send this man up to London that he might, in accordance with the vote of the 18th,⁴ be banished on making his composition. He at once flamed up in wrath. "If I be not mistaken," he wrote to two members of the House, "the House of Commons did vote all those traitors that did adhere to or bring in the Scots in their late invading of this kingdom under Duke Hamilton; and not without very clear justice, this being a more prodigious treason than any that had

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Nov. 20.
Cromwell's
change of
tone.He asks
for justice
without
respect of
persons.Order
for the
removal of
Sir John
Owen.Cromwell's
angry
remon-
strance.¹ See p. 507.² Cromwell to Fairfax, Nov. 20, *Rushw.* vii. 1,339. The letter is reprinted by Carlyle (Letter lxxxiii.) with unnecessary changes of form.³ See p. 393.⁴ See p. 510.

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been perfected before ; because the former quarrel was that Englishmen might rule over one another, this to vassalise us to a foreign nation ; and their fault who have appeared in this summer's business is certainly double to theirs who were in the first, because it is the repetition of the same offence against all the witnesses that God has borne, by making and abetting a second war.”¹

The root of
Cromwell's
cry for
justice on
delin-
quents.

Nov. 25.
Another
letter to
Hammond.

Ham-
mond's
argument.

Cromwell's
reply.

Here, then, and not in any constitutional ideas about limited monarchy, lay the root of Cromwell's cry for justice on delinquents, in which, after long hesitation, he had at last included a cry for justice on the King. The men who had invited foreigners ‘to vassalise us’ must die, without respect of persons, in expiation of so great a crime. In a second letter to Hammond, written on the 25th, Cromwell strove to justify his change of ground in the spirit of one who argues because he has made up his mind, not in that of one who has resolved to follow the argument whithersoever it may lead him. With the Remonstrance itself he deals somewhat slightly, not being much concerned with constitutional considerations, though he is thoroughly in accordance with its general conclusions. “God,” Hammond had argued, “hath appointed authorities among the nations, to which active or passive obedience is to be yielded. This resides in England in the Parliament. Therefore active or passive resistance is forbidden.”² “All,” replies Cromwell, “agree that there are cases in which it is lawful to resist.” The only question is ‘whether ours be such a case.’ Then follow suggestions rather than argu-

¹ Cromwell to Jenner and Ashe, Nov. 20, *Carlyle*, Letter lxxxii.

² “is forbidden” is only suggested as representing “&c.” in the original.

ments. Is *Salus populi* a sound position? Secondly, does the treaty carried on at Newport violate the engagements made by Parliament with the army; and, if so, is it likely to provide for the safety of the people? “Thirdly,” asks Cromwell, “whether this army be not a lawful power called by God to oppose and fight against the King upon some stated grounds; and being in power to such ends may not oppose one name of authority for these ends as well as another name?”

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1647

The
authority
of the
army.

It was an audacious suggestion, against which Cromwell himself had once protested with all his might, and from which even now he soon draws back in alarm. “Truly,” he proceeds, “these reasonings may be but fleshly.” He then falls back on providences as supporting his position, and on the steady growth of a feeling amongst the people of God, doubtless by His inspiration. “If the Lord,” he writes, “have in any measure persuaded His people, as generally He hath, of the lawfulness, nay, of the duty:—this persuasion prevailing upon the heart is faith, and the more the difficulties there are, the more the faith.” There must therefore be no longer hesitation. Neither fear of the Levellers and of their destructive principles, nor the hesitations of those who cling to the doctrine of non-resistance, holding that ‘the people of God may have as much or more good the one way than the other,’ must be a hindrance to resolute action. “Good,” bursts out Cromwell, “by this man, against whom the Lord hath witnessed, and whom thou knowest! Is this so in their hearts, or is it reasoned, forced in?”¹

The
testimony
of pro-
vidences.

Cromwell cared more for the thing to be done

¹ Cromwell to Hammond, Nov. 25, *Carlyle*, Letter lxxxv.

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than for the way in which it was done. Far into the future he could not look, and he had no appreciation of the instinctive horror with which the English people regarded an army which counted its impulses as the revelation of the will of God. He might be able to remove the immediate obstacle in the way of peace, but it was beyond his power to lay broad the foundations of the peace for which he sighed.

CHAPTER LXVIII.

PRIDE'S PURGE.

BEFORE Cromwell's last letter reached its destination, Hammond's views and opinions had ceased to influence the course of events at Carisbrooke. The vote of November 20, by which the Commons postponed the consideration of the Remonstrance,¹ was held at St. Albans as intimating a resolution to continue the negotiation with the King. As it was known on the 18th that Charles was still bent on leaving the island,² there was all the more reason to secure his person in such a manner as to make escape impossible.

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LXVIII.

1648

Military
opinion
at St.
Albans.The King
to be
secured.

To effect this object it would be necessary to remove Hammond, who had replied either to the letter from the four colonels or to a later one from Fairfax by a repetition of his offer to resign his post, whilst he refused blankly to make any change in the King's position, and declared himself bound in honour to take orders from Parliament in this matter and not from the General. Fairfax replied on the 21st, recalling Hammond to head-quarters on the plea that he hoped to be able to remove his scruples, informing him at the same time that Colonel Ewer

Hammond
refuses to
secure him.

¹ See p. 509.

² Com. of D. H. to Hammond, Nov. 18, *Letters between Hammond and the Com. of D. H.* 90.

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LXVIII.

1648

Hammond distracted by opposing duties.

Nov. 26.
He prepares to start,Nov. 27,
and instals three officers in his place, instructing them to resist the King's removal.Nov. 24.
Head-quarters at Windsor.Nov. 25.
Ewer sent to the Isle of Wight.Nov. 27.
His altercation with Hammond.

had been appointed to take charge of the Isle of Wight in his absence.¹

By the bearer of Fairfax's despatch Hammond also received a letter from Ireton, in which an attempt was made even at that late hour to convince him that the path of duty lay in obedience to his military superiors. Upon the receipt of these letters, the distracted governor attempted to comply at the same time with his civil and his military obligations. Having made preparations for leaving the island, he notified his intention to the Speaker of the House of Lords on the 26th,² and on the 27th gave over his charge during his absence to Major Rolph and two other officers, Captain Boreman and Captain Hawes, with instructions to prevent the removal of the King from the island 'unless by direct order of Parliament,' and authorising them in case of necessity to call upon the two regiments of trained bands belonging to the island to support the soldiers of the garrison.³

Meanwhile measures were being taken to counteract any such movement on Hammond's part. Headquarters had been moved to Windsor on the 24th, and on the following day the Council of Officers held long debate, at the end of which Ewer was finally despatched to the island. When he arrived at Carisbrooke on the 27th he found that Hammond had not yet commenced his journey, and at once placed in his hands a warrant from Fairfax and the Council direct-

¹ Fairfax to Hammond, Nov. 20, *L.J.* x. 610; Ireton to Hammond, Nov. 22, *Letters between Hammond and the Com. of D. H.* 95. Hammond's letter containing his refusal to imprison the King has not been preserved, but the two replies to it leave no doubt about its purport.

² Hammond to Manchester, Nov. 26, *L.J.* x. 610.

³ Orders by Hammond, Nov. 27, *Ib.* x. 615.

ing him to secure the King's person in Carisbrooke Castle until Parliament had taken action upon the Remonstrance, of which, as the warrant itself stated, one of the objects was 'that the person of the King' might 'be proceeded against in a way of justice.'¹ Ewer added that if Hammond refused to comply with this order, he was himself instructed to summon forces from the mainland in order to carry it out. On Hammond's declaration that he would resist to the uttermost, Ewer agreed that they should both betake themselves in company to Windsor.

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LXVIII.
1648

Ewer and
Hammond
to go to
Windsor
together.

Ewer had gained all that he really wanted in withdrawing Hammond from his post. On the 28th, when the pair reached Farnham, Hammond was met by orders from the Houses to return to the Isle of Wight, but before he could comply with them he was arrested and taken to Windsor, where he was charged with remissness in carrying out his orders, and sent to Reading on his parole being given not to leave the place till he received permission from his superior officers.² Things were about to be done which could not safely be intrusted to a punctilious, scrupulous man, beyond measure anxious to do his duty both to Parliament and army, but without initiative or decision.

Nov. 28.
Hammond
arrested.

It is probable that Ewer accompanied Hammond to Windsor: at all events he did not return to the Isle of Wight. On the 27th, before his departure from the island was known at head-quarters, Fairfax and the Council of Officers sent him instructions to remove Charles to Hurst Castle, apparently on the ground that Parliament was suspected of a design to

Nov. 29 (?)
Cobbet and
Merryman
sent to the
Isle of
Wight.

¹ Warrant, Nov. 25, *L.J.* x. 614.

² Hammond to Manchester, Nov. 28, 29, *L.J.* x. 616; *Votes in Parliament*, E. 475, 16.

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LXVIII.

1648

Nov. 30.
Their
arrival at
Newport.

Are
ordered to
remove
the King
to Hurst
Castle.

They
assure
themselves
of Rolph's
help.

remove him elsewhere,¹ but on the 28th or 29th, for some reason now unknown, they resolved to send Lieutenant-Colonel Cobbet and Captain Merryman in Ewer's place, with orders merely to confine the King again within the walls of Carisbrooke Castle.²

The two officers arrived at Newport on November 30, and at once entered upon a conference with the three deputy governors. Before anything had been settled fresh orders arrived from Fairfax directing Cobbet and Merryman to secure the King and to remove him to Hurst Castle, and requiring the deputy governors by name and in general all other officers and soldiers in the island to assist them in the execution of this order.

For the three deputy governors it now became a question whether they owed obedience to Fairfax or to Hammond. Rolph declared himself bound to obey Fairfax, whilst Boreman held that though his duty was to carry out Hammond's instructions, he was not strong enough to resist the commands of Fairfax. The third, Hawes, agreed with Rolph as to his duty, but was unwilling to take part in offering violence to the King.³ In this discrepancy of opinion, Rolph was practically master of the situation, especially as the soldiers of the garrison were clearly on his side. A company of foot and a troop of horse which had crossed the Solent in the day arrived at Newport after nightfall, as did also the soldiers of the

¹ The reason given is that there appears 'to us here some danger in his continuance within the island, which perhaps is not so visible to you there.' The Council of Officers to [Ewer], Nov. 27, *Clarke MSS.*

² *A Declaration of the Three Deputy Governors*, E. 476, 8. It appears from this declaration that Cobbet and Merryman had their instructions directly from the General and Council, not from Ewer, and the most likely explanation is that Ewer was detained at Windsor.

³ *Ib.*

garrison of Carisbrooke, whose places were taken by a company of the local trained bands.¹

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1648

The plan
betrayed.

The secret of the intentions of the officers had been intrusted to too many persons to be well kept, and one of Charles's servants heard from an informant in disguise that the King was to be carried off in the night. Charles at once sent for Richmond, Lindsey, and for a certain Captain Cooke, who, though he served in the Parliamentary army, had been won over to pity him in his misfortunes. Cooke was despatched to inquire the truth of Rolph, who had a lodging in the town. "You may assure the King from me," was Rolph's answer, "that he may rest quietly this night, for, on my life, he shall have no disturbance this night." Cooke, noticing the stress laid on the words 'this night,' suspected that something was wrong, and carried his report to the King, who, during his absence, had heard a rumour that 2,000 men were collected at Carisbrooke.

Cooke sent
to Rolph.

It was a dark and rainy night, and Charles, though anxious to ascertain the truth of the news, was with some difficulty induced to allow Cooke to face the storm by going to Carisbrooke to make inquiries. On his arrival Cooke found himself in the presence of several newly arrived officers, and he ultimately wrung from Boreman—the one of the deputy-governors who commanded in the castle—an admission that a design against the King was in contemplation. Hurrying back to Newport, he found the King's lodgings beset with guards, some of whom had even penetrated

Cooke
inquires
at Caris-
brooke.

Guards
placed
about
the King's
lodgings.

¹ According to a letter from a certain Vaughan printed in *A True and Certain Relation* (E. 475, 19), Charles had summoned the trained bands of the island to his help, and on this very day large numbers had come into Newport to help him. I fancy that if this story had been true we should have heard something of these men when the crisis arrived. It is not unlikely that the whole letter was invented in London.

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within the doors of the house. By this time it was nearly midnight, and it was with some difficulty that Cooke obtained the removal of the soldiers to a little distance from the house, on the plea that the smoke from their lighted matches incommoded the King.

Charles
urged to
escape,

After listening to Cooke's report, both Richmond and Lindsey urged Charles to make his escape while yet there was time. Charles, however, characteristically hesitated now that the moment for action had come. The attempt, he argued, would almost certainly fail, and would exasperate the soldiers. He even persuaded himself that he would be no worse off in the hands of the army than he had been at Hampton Court. If the officers, he argued, should seize him, they must preserve him for their own sakes, as no party could secure its own interests without his help, as long as his son was out of reach. "Take heed, sir," replied Lindsey, "lest you fall into such hands. All will not steer by such rules of policy. Remember Hampton Court, where your Majesty's escape was your best security."

but refuses
to do so.

Lindsey's
argument,

supported
by Cooke.

Lindsey's common-sense made no impression on Charles, and it was equally in vain that Cooke sought to prove that escape would be easy. He had the password, and to show how little difficulty there was in the matter, he took Richmond as his companion and passed out through the guards and came back without hindrance. After his return, Cooke assured Charles that he had horses and a vessel ready for him as soon as he had cleared the guards. Charles, who for the last two months had expressed on paper his readiness to break his parole, now fell back on his conscience. "They have promised me," he said, "and I have promised them, and I will not break first." Cooke reminded him that his promise

Charles
pleads his
conscience,

had been given to the Houses, not to the army. This argument had no effect, and an attempt to terrify Charles by representing the greatness of the danger likewise failed. "Never let that trouble you," replied the King; "I would not break my word to prevent it." When it came to the point, the dishonour of uttering a deliberate falsehood, as distinguished from an evasion or equivocation, stood up clearly and unmistakably before Charles's mind.

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and refuses
to be
terrified.

Charles had formed his resolution. Dismissing Lindsey and Cooke at one o'clock in the morning, he kept Richmond with him, and lay down to rest. At daybreak a loud knock was heard at the door. As soon as it was opened, several officers pushed into the room, and, telling the King that he was to be removed to Hurst Castle by orders from the army, they hurried him off to a carriage waiting below, without giving him time even to eat.¹ As soon as Charles was seated, Rolph attempted to follow him into the coach. Charles at once leapt to his feet. "It's not come to that yet," he said, angrily. "Get you out," and, suiting the action to the word, thrust the intruder back, and motioned to Herbert and Harrington to take their places. Rolph mounted his horse, and riding by the side of the coach, showed how deeply he felt his discomfiture by reviling the King as he went.²

Dec. 1.
Charles
carried off
to Hurst
Castle.

¹ Cooke's Narrative, printed with Herbert's *Memoirs*, ed. 1702. Cooke is throughout spoken of as a colonel, by his later title. In the same volume is a letter from Firebrace written in 1675, and therefore of less value than Cooke's account, which was written immediately after the events described, his own title only being subsequently changed.

² Firebrace's letter in Herbert's *Memoirs*, p. 199, tells the story of Rolph. Herbert (p. 83) tells the same story of Cobbet, but Herbert is anything but trustworthy in matters of detail, and the civil behaviour of Cobbet at Hurst Castle leads me to think that Rolph was the intruder. He would consider that, as the senior of the deputy

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Charles
landed at
Hurst
Castle.

In this manner Charles was conducted to a point on the coast a little beyond Yarmouth, where he was placed in a boat and landed at Hurst Castle, a block house raised by Henry VIII. to defend the Solent, surrounded by the sea except where a long and narrow spit of shingle joins it to the Hampshire coast. Black and desolate must the scene have appeared on that December morning, when Charles, stepping out, was received by the governor, Captain Eyre, whose stern looks and rough appearance, combined with his uncourtier-like demeanour, startled the King's attendants. A word, however, from Cobbet frightened him into propriety of demeanour, and after this Charles had no reason to complain of his conduct as long as he remained in his charge. The accommodation of the lonely fortress was, of necessity, poor, and in December even the room assigned to the King for his meals was so dark as to require the illumination of candles at midday.¹

An under-
standing
with the
Levellers
necessary.

The army would have gained little by possessing itself of the King's person, unless it could also bring the Houses under its control. Yet, if this was to be done, it would be necessary to come to an understanding with the Levellers, whose influence amongst

governors, he had Charles under his charge as long as he was in the island. He must, moreover, have been very sore on account of the charge brought against him by Osborne. See p. 380, note.

¹ Herbert's *Memoirs*, p. 84. The newspapers of the time make sad havoc of names, and hopelessly confuse Eyre with Ewer. The mistake has naturally found its way into that collection of newspaper cuttings which bears the name of the Fourth Part of *Rushworth's Collections*, and Mr. Goodwin, who wrote the Life of Ewer in *The Dictionary of National Biography*, has unfortunately fallen into the trap. A reference to *C.J.* v. 96 shows where the truth lies. Eyre seems to have borne the local rank of colonel. Herbert's saying that the Governor was 'complained of to his superior officer' ought to have prevented the mistake. Cobbet was the superior officer present, but he would not have been superior to Ewer.

the soldiers was great, and who had received from Ireton a promise that no force should be used against Parliament till both parties had so far agreed upon a constitutional settlement as to avert the danger of establishing a military despotism.¹

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Accordingly on November 28, the day on which Hammond was arrested at Farnham, Lilburne, attended by a few of the more prominent members of his party, appeared at Windsor, anxious to induce the officers to accept a modified *Agreement of the People*,² as the only bulwark against Royal despotism on the one hand, and military despotism on the other. After a long discussion, in which Ireton spoke in the name of the army, it appeared that only two points of importance remained to be settled. In the first place, Lilburne held that there ought to be unrestricted liberty of conscience, whereas Ireton thought that certain extreme opinions ought to be repressed. In the second place, Ireton assigned, and Lilburne refused to assign, to Parliament a right to inflict punishment in certain cases not punishable by law. Lilburne, who saw behind Ireton's arguments a settled intention to erect a Parliamentary despotism, broke up the conference, and was about to return to London in dudgeon, when Harrison appeared to plead with him for further consideration of the points at issue.

Nov. 28.
Lilburne at
Windsor.Differences
between
him and
Ireton.

If there was an officer in the army likely to have influence over Lilburne that officer was Harrison. Harrison, it is true, thought more of establishing the reign of the saints than of establishing the reign of law, but exceptional measures, such as those which Ireton advocated, would bear as hardly upon the

Harrison
and Lil-
burne.

¹ See p. 501.

² *His Majesty's going from the Isle of Wight*, E. 475, 5.

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Harrison
announces
the plan of
the army.

saints as upon the sticklers for legal procedure, and in the recent conference Harrison had shown in no uncertain tones his dislike of some of Ireton's proposals. He now plainly told Lilburne that the army had made up its mind to put the King to death even if it was necessary to have recourse to martial law. He then expounded the means which they intended to adopt to obviate that necessity. They intended, it seems, 'totally to root up' the existing Parliament, and 'to invite so many members to come to them to manage businesses till a new and equal representative called by an Agreement be settled.' It seemed as though the officers at Windsor had been struck, as Cromwell had been struck,¹ by the example of Argyle. A certain select number of members of the House of Commons were, according to this programme, to play the part of Argyle's new Committee of Estates. There was, however, this important difference between the two cases, that in Scotland only a new Parliament had to be summoned, whereas in England a new constitution had to be proclaimed. It is scarcely possible to doubt that communications, now lost, had passed between Cromwell and Ireton on the subject.

Lilburne
proposes a
committee
on the
Agree-
ment.

By this statement, Lilburne's objections were by no means removed. Thinking, it may be presumed, that the main question for him was what manner of Agreement should be ultimately adopted, he proposed that its preparation should be confided to a committee of sixteen members, four being from the army, four civilian Independents, four Levellers, and four Independent members of Parliament. In his generous enthusiasm Lilburne even added that he would be ready to admit four Presbyterians if they were willing to attend. Harrison leapt at the proposal, and on the

¹ See p. 514.

morning of the 29th, when Lilburne called early on Ireton to receive his approval, he was informed by Harrison that Ireton, who was still in bed with his wife and could not see him, had not only given his approval to the proposal, but, unless, as is exceedingly probable, Lilburne was mistaken as regards this part of the message, had even agreed that the decision of the committee on all points should be received as final.¹ It seems hardly possible that Ireton should have proposed to bind his brother officers to the details of a scheme on which their opinion had not been taken.

Now that Lilburne's opposition was removed, it became possible for the predominant party in the army to carry out its design without fear of divided counsels. The situation in the House of Commons was menacing. On the 27th, the day fixed for the discussion of the Remonstrance, the debate was adjourned to December 1,² and, for all that appeared, it was likely to be adjourned indefinitely. Accordingly, on the 29th, after Lilburne had left Windsor, the Council of Officers determined to insist on the House accepting three demands: the impartial administration of justice, the regular payment of the soldiers with a view to putting an end to the system of free quarter, and the speedy enactment of salutary laws. To secure these things the army was to enter London.³

The march of the army from Windsor was preceded by the issue of a declaration bearing the date of November 30, which showed that the three demands had been made with no expectation that they would be accepted. It was hopeless, according

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Nov. 29.
Ireton
accepts it.Nov. 27.
Debate
on the
Remon-
strance
adjourned.Nov. 30.
A declara-
tion from
the army.¹ Lilburne's *Legal, Fundamental Liberties*, p. 31, E. 560, 14.² *C.J.* vi. 90.³ *His Majesty's Letter*, E. 474, 12.

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to this declaration, to argue further with the existing Parliament, and the army, therefore, proposed to appeal 'unto the extraordinary judgment of God and good people,' the sense of the latter being manifested in a succession of reformed Parliaments. The existing Parliament was to be immediately dissolved, and to bridge over the interval before fresh elections could be held, those members who had remained faithful to their trust—in other words, those who agreed with the army—were to withdraw from the House, placing themselves under the protection of the army. Upon this they would be treated by the army as a kind of provisional government employed to direct the course of affairs till a Parliament elected by the reformed constituencies had been brought into existence. As soon as this had been happily accomplished the army would willingly disband.¹ On the same day Fairfax announced to the Lord Mayor that he was about to enter London, and expected an immediate payment of 40,000*l.* out of the arrears of the City assessments.²

A letter to
the Lord
Mayor.

¹ *The Declaration of . . . the Lord General Fairfax and his General Council of Officers*, E. 474, 13. The most important sentence is the following: "We . . . desire that so many of them," *i.e.* of members of the House of Commons, "as God hath kept upright, and shall touch with a just sense of those things, would by protestation or otherwise acquit themselves from such breach of trust and approve their faithfulness by withdrawing from those that persist in the guilt thereof, and apply themselves to such a posture whereby they may speedily and effectually prosecute those public ends . . . and, for so many of them whose hearts God shall stir up thus to do, we shall therein in this case of extremity, look upon them as persons having materially the chief trust of the kingdom remaining in them; and though not a formal standing power to be continued in them, or drawn into ordinary precedents, yet the best and most rightful that can be had, as the present state and exigence of affairs now stand; and we shall accordingly own them, adhere to them, and be guided by them in their faithful prosecution of that trust, in order unto and until the introducing of a more full and formal power in a just representative to be speedily endeavoured."

² Fairfax to the Common Council, Nov. 30, *L.J.* x. 618.

On the following day, December 1, Prynne, who had recently been elected for the first time, and had taken his seat on November 7, made an urgent call on the House to vote the army rebels.¹ To this appeal, however, the Commons turned a deaf ear, attempting to avert the danger by authorising the Lord Mayor to send the required sum to Fairfax. At the same time they directed the Speaker to request the General to keep at a distance, on the ground that his approach would be dangerous to the City and the army. It was only after a division that the Commons abstained from adding that it would also be 'derogatory to the freedom of Parliament.'²

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Dec. 1.
The
Commons
hope to
appease
the army.

It little mattered what form of words the House might see fit to use. On the 2nd the streets of Westminster and London once more resounded with the tramp of armed men other than their own citizen soldiers. Fairfax took up his quarters at Whitehall,³ and Parliament and City were at his mercy, or rather at the mercy of that Council of Officers under whose tutelage he in reality acted.

Dec. 2.
The army
enters
London.

On December 1, the day before the entry of the army, Holles had reported to the House of Commons the final answer made by the King to the Parliamentary commissioners before they left Newport. In the discussion which ensued Vane bitterly criticised the King's offers, but the Presbyterians found an unexpected ally in Nathanael Fiennes, who argued that the King had yielded all that was necessary 'to secure religion, laws, and liberties.' He was quite ready even to accept the establishment of Presbyterianism with the limit of three years. Presby-

Dec. 1.
The King's
answer
reported.

Vane
attacks,
and Na-
thanael
Fiennes
defends it.

¹ Lawrans to Nicholas, Dec. 1, *Clarendon MSS.* 2,964.

² *C.J.* vi. 92; Lenthall to Fairfax, Dec. 1, *Tanner MSS.* lvii. fol. 448.

³ Lawrans to Nicholas, Dec. 4, *Clarendon MSS.* 2,964.

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terianism, he said, must be weak indeed if it could not stand upon its trial for three years. Fiennes's change of front was deeply resented by the Independents, who asserted that he had been bribed by Charles with an offer of a 'Secretaryship of State, and his father, Lord Say, by the promise of the Lord Treasurer's staff.'¹ It is unnecessary to resort to such an explanation, as a reasonable man might easily, by leaving out of sight the question of Charles's trustworthiness, come to the conclusion that, under the circumstances, the best course was to accept his offers.

Dec. 2.
Further
delay.

It had been expected in the House that the discussion on the King's answer would take place on December 2, but the entry of the army into London on that day distracted the attention of the members, and the debate was again adjourned. The 3rd was a Sunday, and before the House entered upon business on the morning of the 4th,² it was officially informed that the King had been removed by force to Hurst Castle. All through that day and the following night there was hot debate on the question whether the House should merely affirm that 'the removal of the King was without the knowledge of the House'—a form of words upon which both parties could agree; or, should adopt an amendment, supported by the Presbyterians, declaring that the King had been removed without the House's knowledge or consent. It was not till eight o'clock on the morning of the 5th that the Presbyterians finally carried their amendment. Then some earnest lover

Dec. 4.
An all-
night
sitting.

Dec. 5.
The action
of the army
repudiated.

¹ Lawrans to Nicholas, Dec. 4, *Clarendon MSS.* 2,964; — ? to Joachimi, ^{Nov. 24} Dec. 4, *Add. MSS.* 17,677, T, fol. 293.

² The writer of the Newsletters in the *Roman Transcripts* in the Record Office puts the arrival of the letter at 5 P.M.; but it seems impossible that a letter dated at Carisbrooke on Dec. 1 should not have been received at Westminster till the afternoon of the 4th.

of peace amongst them moved that the King's answers to the propositions should be accepted. The Independents, anxious to see this question settled in the sense of their opponents in order to give an excuse for the intervention of the army, wished the question to be put. The Presbyterians, however, preferred delay, and carried a motion for adjournment by the decisive majority of 144 to 93.¹

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The debate
on the
King's
answers
adjourned.

Reasons
for the ad-
journment.

It was not merely because the House was jaded that the Presbyterians, in spite of their assured majority, had adjourned the discussion. They would now, too late for themselves, have welcomed Charles's compromise, but feared to alienate the Scots by accepting even moderated Episcopacy.² When the House met again somewhat later in the day, the majority, still disinclined to accept the King's answers as a whole, contented themselves with carrying, by 129 to 83, a resolution that they were 'a ground for the course to proceed upon for the settlement of the peace of the kingdom.' In order to make this dilatory proposal palatable to the army, a committee was appointed to confer with Fairfax, in the hope of keeping 'a good correspondency between the Parliament and the army.'³

The King's
answers de-
clared to
be a ground
of settle-
ment.

At some time in the course of the two days' debate Prynne delivered a long and ponderous oration, in which he urged the House to accept the King's offers as satisfactory. In so doing, he contrived to surmount what was, to him, a considerable difficulty—the King's refusal to abandon Episcopacy—

Prynne's
argument.

¹ *C.J.* vi. 93; Grignon to Brienne, Dec. 17, *R.O. Transcripts*.

² The Commons, writes Grignon, resolved 'de ne point agiter si les responses dudict Roy estoient satisfactoirs; ce que fut faict par les Presbyteriens, qui les eussent bien pu faire lors declarer telles, affin de ne point offenser les Escossois qui avoient declare n'en estre pas satisfacts.' *Ib.*

³ *C.J.* vi. 93.

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characteristically remarking that he had himself written a book, which had never been refuted, on the unbishopping of Timothy and Titus. He was, therefore, quite certain that, if he were brought into the King's presence, Charles would himself acknowledge the Presbyterian argument to be conclusive. On the more practical question of the power of the Houses to keep the King to his engagements, Prynne argued that the stipulations about the militia and official appointments would make it impossible for him to throw off the bonds under which he would be placed.¹

The army
eager to
interfere.

This was not the view taken in the army. There the eagerness for the most drastic measures, which had shown itself in the Remonstrance and the declaration, remained unabated. Nor was it likely that, in the heat of the struggle, practical men would abide by the letter of any promise made personally by Ireton to Lilburne, and thus suffer an opportunity for grasping power to slip away, whilst an ideally perfect form was being discovered for the new constitution. Lilburne, indeed, satisfied with Ireton's engagement, had, even before the army moved to London, brought together at Windsor thirteen out of the sixteen members of his committee. After some discussion, Lilburne and the three other Levellers

Lilburne's
committee

¹ *The Substance of a Speech* by W. Prynne. No doubt, as Professor Masson argues (*Life of Milton*, iii. 695), the speech was shorter in delivery than in print. There is a further difficulty, that it is said to have been delivered on Dec. 4, whereas the question whether the King's offers were satisfactory to which it is addressed was not discussed, according to the journals, till Dec. 5. Possibly this subject may have been held to be germane to the question whether the House approved of the King's seizure, which was before it on the 4th. Besides, we cannot tell how much the speech was altered for publication. If we could accept the authority of the *Roman Newsletter* (see p. 532, note 2) there would be no difficulty at all.

locked themselves into a room with Marten, and before they left it completed the draft of a new Agreement of the People. When the army arrived in London the committee transferred itself to the head-quarters at Whitehall; and, though Ireton and Lilburne opposed one another vigorously, the draft was finally adopted in an amended form by a majority.

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A new
Agreement
of the
People.

It was significant that the three absentees were all members of the House of Commons, Marten being the only one of the four named who was present at the meetings either at Windsor or Whitehall.¹ Marten had left Westminster in August, and, without orders from any one in authority, had raised a troop of horse in Berkshire, mounting his men by the simple process of breaking into the stables of the gentlemen of the county.² An outcry was soon raised, and, to avoid punishment, he and his troop moved off to the north, where he remained till the attitude of the army towards Parliament tempted him to Windsor. The three absentee Parliamentary members of the committee—Alexander Rigby, Thomas Chaloner, and Thomas Scott—were certainly not likely to err from any sympathy with the Presbyterians.

Marten's
recent
escape.

The absence of these men is to be accounted for by their rooted objection to that which was common to Ireton and the Levellers. Though the Levellers wished to postpone the forcible dissolution of Parliament till the Agreement of the People was completed, they concurred with Ireton in desiring that such a dissolution should take place at no long interval of time. Partly, no doubt, from the promptings of private interest, but, it may fairly be urged, still

Opposition
to the pro-
posed dis-
solution.

¹ *Legal, Fundamental Liberties*, p. 34, E. 560, 14.

² Marten to Lenthall, Aug. 15; Account of the Conduct of the Soldiers, Aug. *Tanner MSS.* lvii. foll. 197, 199.

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more by public motives, the Republican members of Parliament objected to the scheme set forth in the recent Declaration of the army,¹ in accordance with which they were to leave Westminster under protest whilst the army dissolved Parliament. They averred that if once they abandoned Westminster they would lose the prestige conferred by sitting in the historical House of Commons, and would cease to be regarded as the legitimate possessors of authority. Nothing that Ireton could say affected their resolution.²

Dec. 5.
A meeting
at White-
hall.

Ireton and
Harrison
plead for a
dissolu-
tion.

The vote of the House of Commons on the 5th brought matters to a point. In the afternoon of that day a meeting was held at Whitehall, at which both officers and members of the House were present. In vain Ireton and Harrison pleaded for the dissolution of Parliament in accordance with the Declaration of the Army issued by the Council of Officers at Windsor. The existing House, they urged, 'had forfeited its trust,' and 'if they did not totally dissolve it, but purge it, it would be but a mock Parliament and a mock power.' "Where," they added, "have we either law, warrant, or commission to purge it, or can anything justify us in doing it but the height of necessity to save the kingdom from a new war that they with the conjunction with the King will presently vote and declare for, and to procure a new and free representative and so successive and free representatives, which this present Parliament will never suffer, and without which the freedoms of the nation are lost and gone?"³

Conditions
of a purge
or dissolu-
tion.

Nothing, in short, the officers argued, would justify a forcible purge unless it were followed by

¹ See p. 529.

² Ludlow's *Memoirs* (ed. 1751), i. 229.

³ *Legal, Fundamental Liberties*, p. 34, E. 460, 14.

a dissolution and an immediate appeal to the people to elect a new Parliament. The arguments used on the other side have not been handed down, but it may very well have been pointed out that a general election would probably lead to results very different from those on which the hearts of all who took part in the meeting were set. In the end the meeting adopted the colourless resolution that Parliament having forfeited its trust, it was 'the duty of the army to endeavour to put a stop to such proceedings.'¹ The question at issue was really settled by the appointment of a joint committee of three officers and three members of Parliament, who were to consider the course to be pursued to carry this resolution into effect. As it is certain that the three civilians were unalterably opposed to a dissolution, recourse to a purge was a foregone conclusion, as, even on the not very probable hypothesis that all the three officers preferred a dissolution, they would undoubtedly prefer a purge to a dissolution carried out in opposition to those members of Parliament who had hitherto acted in agreement with the army.

In accordance with the determination of this committee, Westminster Hall and the approaches of the House of Commons were, without any authority from Fairfax, beset by soldiers at seven o'clock in the morning of the 6th. Colonel Pride, who commanded the guard stationed in the lobby of the House, had in his hands a list on which were the names of certain members, whilst Lord Grey of Groby, himself a member of the House, stood at his side, ready to point out to him the members in ques-

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Arguments
for a
purge.A colour-
less resolu-
tion.A com-
mittee ap-
pointed.Dec. 6.
The House
of Com-
mons beset
with
soldiers.

The Purge.

¹ Ludlow's *Memoirs* (ed. 1751), i. 233. Ludlow gives the result, Lilburne the arguments; but it can hardly be doubted that both refer to the same meeting.

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Those who
resist are
placed in
confinement.The House
orders
their
liberation,and sends
to Fairfax.Charge by
the officers.

tion. As each one of these approached the door of the House he was turned back, and in case of resistance was removed by the soldiers to a room known as the Queen's Court, and there placed in confinement. In addition to those who were merely turned back, the number of those put under restraint amounted to forty-one.

The first step taken by those members who were permitted to pass the doors of the House was to send the serjeant-at-arms to liberate the prisoners.¹ It is probable that many who concurred in this step took it merely in order to save appearances; but there must have been not a few, perhaps a majority, of those present who, though they had hitherto voted with the Independents, were irritated by the subjection of the House to military violence.² However this may have been, the serjeant brought back an answer from the officer in charge of the prisoners, that he would obey no one except his own military superiors, and upon this the House directed the committee, which had been appointed on the preceding day for the purpose of opening communications with Fairfax, to wait upon the General with a request that he should at once give the required orders.

Fairfax, either unable or unwilling to act alone, replied, in conjunction with the Council of Officers, by sending a charge asking for the resumption of the proceedings against Holles and the remaining

¹ *C.J.* vi. 93.

² Ludlow, in his *Memoirs* (ed. 1751), i. 235, says that the House 'was moved to send for those members who were thus excluded from the army; which they did, I presume, rather out of decency than from any desire they had that their message should be obeyed.' This, no doubt, represents his own feeling; but, according to *Merc. Elencticus* (E. 476, 4), there were, on Dec. 11, only about thirty members who thoroughly agreed with the army. The authority is not a good one; but the statement is more likely to be exaggerated than entirely false.

survivors of the eleven members, and for the trial of Major-General Browne, who was accused of bringing in the Scots. The officers also asked that all who had voted for the re-admission of Holles and his companions, or had opposed the vote declaring those who had invited the Scots to be traitors,¹ should be permanently excluded from the House, whilst others who had voted on various occasions in a way obnoxious to the army should be excluded till they had given satisfaction. It is probable that in these two categories all those whose names were on Pride's list were included.

Finally, the officers expressed a hope that those who remained faithful to their trust would speedily 'take order for the administration of justice,' fix a period for a dissolution, and 'provide a speedy succession of equal representatives.'² Throughout this charge the King's name was never mentioned.

Upon this message the House, before bringing its sitting to a close, merely reiterated its order to the committee to 'confer with the General for the discharge of the members.'³ The prisoners gained no benefit by the intervention of their colleagues. In the afternoon Hugh Peters, indeed, arrived in the Queen's Court and released Fiennes and Rudyerd, giving to those who inquired by what authority they had been detained the short answer, 'By the power of the sword.' The remaining thirty-nine were then taken to a neighbouring tavern, familiarly known as 'Hell,' where they passed the night in two upper chambers, affording no resting-place except benches

The General to be asked to discharge the members.

Two of the prisoners liberated.

¹ 'To the number of ninety and odd, as upon the division of the House appeared.' This vote, however, passed on July 20 without a division. *C.J.* v. 640.

² *The Articles and Charge of the Army*, E. 475, 30.

³ *C.J.* vi. 94.

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and chairs. Seven of the oldest amongst them were offered permission to go home on giving their parole to return in the morning. They, however, refused even so far to acknowledge the authority by which they were detained.¹

Cromwell's
return.He dis-
claims
knowledge
of Pride's
Purge.

In the evening of the day on which the arrests were effected, Cromwell, who had left Lambert behind him to prosecute the siege of Pontefract, rode into Westminster. He had not, he said, 'been acquainted with this design; yet, since it was done, he was glad of it, and would endeavour to maintain it.'² There can hardly be a doubt that Cromwell had been consulted as to the proposed interference of the army; but the special form which it took had been rapidly determined, almost certainly only on the preceding day, so that there had been no time to obtain his opinion on the adoption of a purge in place of a dissolution.

Dec. 7.

Marten's
return.

On the morning of the 7th he took his seat, and received the thanks of the House for his victories.³ Marten, who came in at the same time, signalled his entry by a jest significant of his own feelings. "Since Tophet," he said, "is prepared for kings, it is fitting their friends should go to Hell!"⁴

The House
orders the
demands of
the army
to be con-
sidered.

It was in vain that, on the preceding day, the Commons had urged Fairfax to set free the imprisoned members. They were now informed by the Council of Officers that no answer would be given to their request till they had replied to the last demands of the army. The House first directed that these demands should be considered on the 9th, but on the

¹ *A True and Full Relation*, E. 475, 14.² *Ludlow's Memoirs* (ed. 1751), i. 235.³ *C.J.* vi. 94.⁴ *Merc. Pragmaticus*, E. 476, 2.

8th, apparently shrinking from the humiliation, adjourned to the 12th.¹

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The prisoners at
Whitehall.

On the 7th the prisoners, with one addition to their number, were taken to Whitehall. On their arrival they were not allowed to see Fairfax, but, after being left for four hours in a room without a fire, were ultimately removed to various inns in the Strand. Omitting the names of Rudyerd and Fiennes, who had been liberated after a short detention, and adding those of a few who, like Major-General Browne, were arrested some days later, the total number of members in confinement was forty-five, whilst ninety-six others who had offered no resistance had been simply turned back by the soldiers and forbidden to enter the House, making in all one hundred and forty-three affected by Pride's Purge. In the end the prisoners were set free on giving their parole to make no attempt to return to their places in the House.²

They are
removed to
the Strand

After this act of violence all interest in Parliamentary proceedings is for a time at an end. The sitting members had been strong enough to hinder an appeal to the people, but they now found themselves unable to obtain serious recognition as the legitimate holders of supreme authority. To England at large they seemed, what in reality they were, the mere creatures of military violence. The army was their master, and, through them, the master of the State.

Weakness
of the re-
maining
members.

Whatever might be the political results of their deed, it was necessary, if discipline was to be main-

¹ *C.J.* vi. 95. These proceedings strengthen the view that the demand of the House for the liberation of the prisoners was not made merely to save appearances.

² *A True and Full Relation*, E. 476, 14; *Parl. Hist.* iii. 1,248.

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Dec. 8.
The
arrears of
pay de-
manded
from the
City.Money
seized.Dec. 12.
Thinness
of the at-
tendance
in the
House.

tained, to satisfy the soldiers by providing them with the arrears of their pay. Accordingly, Fairfax wrote, on the 8th, to the Lord Mayor and Common Council demanding 40,000*l.* as an instalment of the unpaid assessments of the City. To show that neither Parliamentary nor municipal authority would stand in his way, he sent troops to seize upon the money belonging to Parliament in the treasuries of the Committee for Compounding at Goldsmiths' Hall, and of the Committee for Advance of Money at Haberdashers' Hall. From these sources he obtained little, but from Weavers' Hall, where a sub-committee of the Committee for Advance of Money had its place of meeting, he carried off, it is said, no less than 28,000*l.* As a more direct measure against the City itself, he quartered soldiers in the citizens' houses with the intimation that there they would remain till the whole sum demanded had been paid.¹ In a few days, however, he so far relented as to remove the men into some empty houses, on the undertaking of the City to provide them with beds to sleep on.² It was understood, however, that more stringent measures would be taken unless the money required was found speedily.

The House of Commons, too, felt the pressure of the army. When it reassembled on the 12th it was found that many of the members who still took the part of their imprisoned colleagues had resolved to absent themselves, and the House was thus, as it were, by a second and voluntary purge, at last reduced to a condition in which those who supported the course taken by the army were numeri-

¹ *The Moderate*, E. 476, 5; *Whitelocke*, 362. Two regiments of foot and one of horse were quartered in the city. *Perf. Occurrences*, E. 526, 40*. Other sums are mentioned in various newspapers as having been seized at Weavers' Hall.

² *Perf. Occurrences*, E. 526, 40*.

cally preponderant. So poor was the attendance that Royalist news-writers were able, truly or falsely, to report that business was frequently delayed by the difficulty of making up the necessary quorum of forty members.¹ On the 12th the House, thus thinned, made no difficulty in re-expelling the survivors of the eleven members; and, afterwards, on the 13th, revoked the repeal of the Vote of No Addresses as having been dishonourable to Parliament; and annulled the votes authorising the Treaty of Newport, as well as those imposing a fine on Hamilton, and banishing Norwich and the other leaders in the second war. On the 14th a message was sent to Fairfax asking him to state 'upon what grounds the members of the House are restrained from coming to the House by the officers and soldiers of the army.'²

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1648

Repeal of
recent
votes,
Dec. 13.

Dec. 14.
The House
asks for
the re-
storation
of its
members.

The question was not likely to meet with a favourable response. On the 12th the army leaders had arrested Browne, Clotworthy, Waller, Massey, and Copley on the charge of having participated in an invitation to the Scots to invade England.³ It was, however, difficult to find evidence against them, and on the 14th Cromwell, in accordance with a request from Hamilton, who was now confined at Windsor, rode down to visit him. Hamilton's object

Dec. 12.
Browne
and others
arrested.

Dec. 14.
Cromwell
goes to
Windsor.

¹ On Dec. 7 a division showed the presence of eighty-two members, including the tellers. The next division, taken on the 14th, showed only fifty-seven; and the next again, on the 20th, only fifty-five.

² *C.J.* vi. 95-97; — ? to Joachimi, Dec. $\frac{1}{2}$ ⁵, *Add. MSS.* 17,677, T. fol. 306. This writer attributes the request to the shame of the members at being seldom able to form a quorum.

³ *Perf. Occurrences*, E. 526, 40*. According to one writer, Browne acknowledged writing a letter of invitation to the Scots; — ? to Joachimi, Dec. $\frac{1}{2}$ ⁵, *Add. MSS.* 17,677, T. fol. 306. This is, however, exceedingly unlikely, and is probably only an enlargement of Browne's declaration that the accusation against him was 'for nothing else but loyalty to the King and Parliament.'

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1648

Dec. 15.
Hamilton
refuses to
give evi-
dence.A protesta-
tion of the
excluded
members
voted
scandal-
ous.

was no doubt to enlist the sympathies of the powerful Lieutenant-General in his favour, whereas Cromwell was anxious to draw from him, as the price of his life, information which would lead to the conviction of those Englishmen who had invited him across the border. Hamilton had many faults, but he refused to betray his associates, and Cromwell gained nothing by his journey.¹ In the meanwhile, the remnant of the Commons settled down into the acceptance of the consequences of Pride's Purge, and on the 15th they put the crown to their subserviency by branding as scandalous a protestation, drawn up by Waller and others in the name of the excluded members, against the violence to which they had been subjected.² Of the five who had been last seized, Massey succeeded in effecting his escape. The other four remained for some years in prison, untried and uncondemned.

¹ *Merc. Pragmaticus*, E. 476, 35.² *C.J.* vi. 97 ; *A Declaration*, E. 476, 33.

CHAPTER LXIX.

THE PRELIMINARIES OF THE KING'S TRIAL.

ON one point the mutilated House of Commons stood firm even against the army—every suggestion that it should fix a date for its own dissolution fell on deaf ears. Yet, though Ireton and his supporters had been forced to substitute a purge for a dissolution, they had not freed themselves, nor, as far as it appears, had they any wish to free themselves, from their obligation to support in some form or other an agreement of the people which should substitute within a very short time a Parliament elected on new principles for the little group of members now sitting at Westminster.

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1648

Ireton
favourable
to an early
dissolution.

By December 10 Lilburne's committee¹ had done its work, and, in order that the people might know what constitutional blessings were in store for them, Lilburne himself sent to the press the Agreement which was the result of its labours.² As he believed

Dec. 10.
Lilburne's
*Agreement
of the
People*
sent to the
press.

¹ See p. 534.

² *Foundations of Freedom, or an Agreement of the People*, E. 476, 76. This was actually published, according to Thomason's date, on the 15th, but the prefatory letter is dated the 10th. This Agreement is identical with the form in *Rushw.* vii. 1,358, except that two long clauses are there omitted, one of which contains the number of the members to sit for each constituency, the other a proposal for dividing constituencies returning more than three members into electoral divisions returning one member each.

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1648

Lilburne's
disappoint-
ment.Dec. 11.
The *Agree-
ment of the
People*
before the
Council.Dec. 14.
The reser-
vation on
religion.Dec. 21.
A com-
promise
arrived at.

Ireton to have promised that whatever received the approbation of the committee should be accepted without further inquiry,¹ he was sanguine enough to suppose that his scheme would at once be submitted for signature—first to the officers, then to the soldiers, and finally to the people in general. He was grievously disappointed when he found that it was to be, as a preliminary step, laid before the Council of Officers for approval.²

On December 11 a discussion was opened, in which Lilburne and some of his followers were permitted to take part. The clauses most open to dispute in the new *Agreement of the People* were those relating to the so-called reservations³—that is to say, to the list of questions to be reserved or exempted from the control of Parliament. Of these the most important, that prohibiting all interference with religion, was reached on the 14th; and, in the debate which was expected to arise on this point, Hugh Peters, Nye, John Goodwin, and other Independent divines were invited to take part, Fairfax himself being in the chair. In the course of the debate Ireton expressed himself strongly on its being the magistrate's duty to punish offences against the first table; but the whole question was postponed for more mature consideration. On the 21st a compromise was arrived at. The Parliament or Representative was to have 'the highest and final judgment concerning all natural⁴ things,'⁵ whilst it was to be interdicted from interfering with the worship of such Christian societies as did not disturb the public peace, with the wide exception of those addicted to

¹ See p. 529.² *Legal, Fundamental Liberties*, p. 35, E. 560, 14.³ See p. 224.⁴ i.e. not divine.⁵ *Clarke MSS.*

‘Popery and Prelacy.’¹ A question raised by Ireton as to the duty of Parliament to suppress blasphemy was passed over in silence. A second point on which Ireton and Lilburne were at issue, whether Parliament might inflict punishment not authorised by law, was solved by restricting its right to cases of ‘public officers failing in their duty.’²

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1648

The right
of Parlia-
ment to
punish
officials.

It was not only on the future constitutional arrangements that the Council of Officers took the lead. On the 15th, whilst Cromwell was still absent on his mission to Hamilton at Windsor, they voted ‘that the King be forthwith sent for to be brought under safe guards to Windsor Castle, and there to be secured in order to the bringing of him speedily to justice.’ In accordance with this resolution, Fairfax wrote to Cobbet and the other officers who had conducted the King to Hurst Castle, informing them that he would be fetched away by Harrison.³ On the morning of the 16th, Harrison, at the head of a large body of horse and dragoons, rode off to fulfil his mission.⁴

Dec. 15.
The King
to be
brought to
Windsor.

Dec. 16.
Harrison
sets out.

The King’s stay at Hurst Castle had been rendered as agreeable to him as circumstances would allow of. Cobbet had shown him what kindness and civility lay in his power. The King’s lodging was rough at the best, and the daily walk along the

The King
at Hurst
Castle.

¹ *The Moderate Intelligencer*, E. 536, 18. Walker, in his *History of Independency* (ii. 50), states that, on December 25, ‘the Council of War voted a toleration of all religions.’ The vote of the 21st must be referred to, which is far from answering to this description. We know from the *Clarke MSS.* that the council was occupied with other matters on the 25th. Ultimately the clause was still further modified, and the liberty was declared not to extend necessarily to Popery or Prelacy.

² *Clarke MSS.*

³ Fairfax to Cobbet and others, Dec. 15, *Ib.*

⁴ *Merc. Pragmaticus*, E. 476, 35.

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shingle, with the wintry sea on the one side and the shallow mud-flats on the other, monotonous enough. Charles, however, did what he could to be cheery, chatting with the officers, and his own attendants, and interesting himself in the passing shipping.¹

Dec. 17.
Harrison's
arrival.

Late in the night of the 17th Charles was roused from his sleep by unwonted sounds, and Herbert, being sent forth to make inquiry, returned with the information that the noise was the clank of the drawbridge let down to admit Harrison. Charles, at the time when he was preparing to fly from Hampton Court, had been told that Harrison had advocated his assassination, and he now imagined that his murder in this lonely spot had been determined on, and that Harrison had been selected as the fitting instrument of crime. Further inquiries having elicited the fact that Harrison was sent to conduct him to Windsor, Charles was completely reassured. Windsor, he knew, was a pleasant place, and he could not imagine that the army in removing him had any purpose except to deal kindly with him.

The King
fears assass-
ination.

Dec. 18.
Harrison
leaves the
castle.

Harrison had visited Hurst Castle to give orders, not to execute them, and he, therefore, rode away on

¹ Herbert, in his *Memoirs*, 39, speaks of Harrington having been dismissed from attendance on the King whilst he was at Hurst Castle for commending the King's replies to the Presbyterian divines at Newport. On the other hand, *The Kingdom's Moderate Intelligencer* (E. 536, 33), of Jan. 2, 1649, states that Harrington was dismissed from Windsor because, though he promised not to help the King to escape, he would not promise to denounce anyone else who might do so. Herbert's *Memoirs*, 91-94. As there can hardly be any doubt that the contemporary account is the true one, we have here a means of measuring the amount of confidence that can be reposed in Herbert's handling of details. Most likely Harrington was taken to task about his language; and Herbert, writing about thirty years after the event, fancied it to have been the cause of his dismissal, antedating it so as to place it at Hurst Castle.

the evening of the 18th, without asking for a personal interview with the King. On the morning of the 19th, Charles was conducted by Cobbet to the mainland, where he found a party of horse appointed to guard him. He slept at Winchester, where he received a hearty welcome from the Mayor and the citizens. The night of the 20th he passed at Farnham. Three or four miles short of the place he descried a fresh party of horse drawn up to receive him. The officer in command was ‘gallantly mounted and armed, a velvet montero was on his head, a new buff coat upon his back, and a crimson silk scarf about his waist, richly fringed.’ Charles’s attention was at once arrested by so splendid a figure, and being told that this was the dreaded Harrison, replied that ‘he looked like a soldier, and that having some judgment in faces, if he had observed him so well before, he should not have harboured that ill opinion of him.’¹

After supper, Charles, standing by the fire, beckoned to Harrison, and, taking him into a recess by one of the windows, told him that he had been informed of his intention to murder him at Hampton Court. Harrison, as might have been expected, peremptorily disclaimed the truth of the charge. What he had really said, he declared, was ‘that the law was equally obliging to great and small, and that justice had no respect of persons.’ On this, Charles broke off the conversation, though he did not, even now, realise the danger in which he was. On the 23rd he continued his journey, dining at Lord Newburgh’s house at Bagshot, where, as he had been told, the fleetest horse in England awaited

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Dec. 19.
Charles
removed
to Win-
chester,
Dec. 20,
and Farn-
ham.He meets
Harrison.A conver-
sation with
Harrison.Dec. 23.
Charles
fails to
escape,¹ Herbert’s *Memoirs*, 95–98.

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1648

and arrives
at Windsor.Opinions
in the army
on the dis-
posal of
the King.Question
raised
whether
the King's
trial must
end in a
death
sentence.

him, in order that, should an opportunity present itself, he might escape on its back. The first news that Charles heard on his arrival was that the horse had fallen lame,¹ and he had therefore no choice but to pursue his way as a captive. He arrived at Windsor in the evening.²

By this time the Council of Officers, having settled the most controverted points in the *Agreement of the People*, had leisure to turn its attention to the disposal of the King's person. Amongst the officers the prevailing opinion was that which had been set forth in the early part of the Remonstrance. In their straightforward simplicity they believed that the King had caused all the evil that had befallen the nation, and that, for this treason—they counted it nothing less—he ought to suffer a traitor's death. Some, on the other hand, though probably a very few, whilst accepting to its uttermost the charge against the King, held that there was no authority in existence which could bring him legally to his trial, and that, if he was to be put to death at all, he should be put to death by the power of the sword, which was at that time in fact predominant in England.³

It was inevitable that, when once the King's trial appeared actually within reach, some even of those who had eagerly clamoured for bringing him to justice should ask themselves whether it was necessary or even desirable that his blood should be shed. On December 11, an alternative *Agreement of*

¹ *Clarendon*, xi. 222.

² *Herbert's Memoirs*, 98, 99.

³ *Clarendon*, xi. 226; Major Francis White to Fairfax, Jan. 22, 1649, *The Copies of several Letters*, E. 548, 6. Clarendon's idea is that these men wanted to assassinate Charles. Major White's opinion is as stated in the text.

the People had been laid before Ireton by certain Common Councilmen and other citizens of London. Though it began with attributing to the King all the bloodshed in the late war, its authors did not even ask for his deposition. They contented themselves with demanding 'that if any King of England shall hereafter challenge to himself a negative voice to the determinations of the Representative in Parliament,' or shall refuse the royal assent to laws tendered him by the Commons 'after consultation with the Lords, . . . he may be deposed by the same Parliament, and that any subject assisting him therein was to be treated as guilty of high treason.'¹

There was too little practical knowledge of the world in this scheme to secure its acceptance; but evidence exists which points to Ireton as withdrawing from the extreme position which he had taken up in the Remonstrance. His view now seems to have been that it would be well to bring the King at once to trial, and then to leave him in prison till he consented 'to abandon his negative voice, to part from Church lands,' and 'to abjure the Scots.' Cromwell even went further than this. In opposition to Ireton, he now asked that the King's trial might be deferred until the subjects, such as Norwich and Capel, who had stirred up the last war² had been brought to

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Dec. II.
A new
Agreement
of the
People
proposed.

Ireton content with the King's imprisonment.

Cromwell wishes the King's trial deferred.

¹ *Several Proposals*, E. 477, 18.

² A letter, dated Jan. 8, 1649, says that:—"Our Councils will not endure any mediations, no, not hear again of Ireton's proposals—viz., 'that it were perhaps safer to have the King live prisoner for to dispose him a while to abandon his negative voice,' &c." A copy of a letter, Jan. 8, *Carte MSS.* xxiii. fol. 425. Writing on Dec. 21, Grignon states, 'que le differend d'entre Cromwell et Ireton n'est que pour sçavoir si l'on commencera par luy'—i.e. the King—"comme veut ce dernier, ou si l'on fera le procès auparavant aux seigneurs et autres personnes principales que l'on tient prisonniers, qui est l'avis de Cromwell.' Grignon to Brienne, Dec. 31, *R.O. Transcripts*.

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The
Council of
Officers
rejects a
proposal to
put the
King to
death.

trial. On or before the 21st the Council of Officers itself rejected, though by only five votes, a proposition the actual tenor of which is unknown, but of which the general sense aimed at the taking away of Charles's life.¹

A letter, written on the 21st by a Royalist agent who was possessed of good information, strengthens the belief that Cromwell was at this time anxious to save the King's life. It was, writes this person, whose name, real or assumed, was John Lawrans, 'the petty ones of the levelling conspiracy' who were most eager for the death of the King; 'for now—which is strange to tell—I have been assured that Cromwell is retreating from them, his designs and theirs being incompatible as fire and water, they driving at a pure democracy and himself at an oligarchy; and it will appear that the wild remonstrance and the present design of taking away the King's life is forwarded by him only to make the Levellers vent all their wicked principles and intentions; that, having declared themselves, they may become the more odious and abominable, and so be the more easily suppressed, when he see the occasion to take them off and fall openly from them.' The writer's views on Cromwell's motives have but little value. The important point is that he believed Cromwell to be on the side of lenity. He further tells us that when the Council of War was discussing the question of the King's trial, Pride, as he believes at Cromwell's instigation, brought in 'a strange, ranting letter' to the effect that it was irrational to kill Charles I. when Charles II. would be at large—to 'exchange a King in their power for a King out of

A letter
brought in
by Pride.

¹ Grignon to Brienne, Dec. $\frac{21}{31}$, *R.O. Transcripts*.

their power, potent in foreign alliances and strong in the affections of the people.’¹

A totally different piece of evidence points in the same direction. If there were any two men engaged in public business who were unlikely to countenance violence against the King, they were Whitelocke and Sir Thomas Widdrington, the two legal commissioners for the custody of the Great Seal. Both had abstained from sitting in the House after Pride’s Purge. Yet it was with these cautious lawyers and with Lenthall, a man no less cautious, that Cromwell and Colonel Deane had an interview on the 18th. The next day the visit was returned to Cromwell, ‘who lay in one of the King’s rich beds at Whitehall.’ On the 21st Cromwell, this time unaccompanied by Deane, met Lenthall, Widdrington, and Whitelocke, when they ‘discoursed freely together about the present affairs and actions of the army and the settlement of the kingdom.’ On the 22nd the two lawyers proposed that, with a view to the restoration of the excluded members, the Council of Officers should be requested to give an answer to the messages sent by the House, and that, on the other hand, ‘heads for a declaration’ should be drawn up to be subsequently embodied in a manifesto, if they could first secure the approval of the Council of Officers as well as of Parliament itself. It can hardly be doubted that the chief condition on which the authors of the proposed manifesto intended to insist was the abandonment of any intention to bring the King to trial.²

¹ Lawrans to Nicholas, Dec. 21, *Clarendon MSS.* 2,968. These sentiments are so like those of Major White (see pp. 550, 575) that I suspect him to have been the author. If so, Cromwell’s complicity is more than doubtful.

² *Whitelocke*, 362, 363. Whitelocke, in giving an account of these proceedings, says that he and Widdrington hoped that ‘the courses of

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Dec. 18.
White-
locke and
Cromwell.

Dec. 19.

Dec. 21.
A con-
ference
with the
lawyers.

Dec. 22.
A proposed
manifesto.

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Dec. 23.
A committee to consider the procedure against the King.

A bargain being driven.

It can hardly be doubted that Cromwell and his allies amongst the officers desired at this time to save the King's life, if it was possible to do so without injury to the cause for which they had fought. It is true that, on the 23rd, the House of Commons appointed a committee to consider how to proceed by way of justice against the King.¹ Lawrans, however, states that this was no more than a threat, held out with the object of driving a better bargain with Charles. "This," he writes, "is evident by what the Speaker said to a friend of mine in discourse on Saturday night²—that if the King came not off roundly now in point of concession, he would be utterly lost; which saying implies thus much—they have applied themselves, and are now bartering with his Majesty." There would, thought Lawrans, be a trial, but the charges brought against the King would, if these concessions were made, be such as he could answer without difficulty. As for the appointment of the committee by the House of Commons, too much must not be made of it. One of its members, Nicholas Love, had told a friend 'that the charge would be nothing but what he knew the King could clearly acquit himself of.' "Truly, sir," concludes Lawrans, "I have it from good hands—some of them Independents—that what I have here represented is a true draft of their intentions; but whether his Majesty will comply with them so far as to part with his negative voice and be no more—as I have often said—than a Duke of Venice, which I hear is the hard condition they intend to impose upon him, is not known, and it is very hard to believe." In the

the army' might 'be moderated—as it was in some measure at this time—though it brake out again into violence afterwards.'

¹ *C.J.* vi. 102.

² *i.e.* Dec. 23.

end the writer expresses his opinion that, if the negotiation failed, it would be wrecked on this question of the negative voice, and on the demand made for the surrender of the bishops' lands.¹

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Although accuracy of detail is no longer attainable, we are not left wholly in the dark as to the manner in which this last overture was made to Charles. Since Pride's Purge, the small number of members attending the House of Lords had become still smaller. Fifteen peers had been present on December 5. On December 6 there were but seven, and between the 12th and the 19th the highest number of attendances was seven, and the lowest three. Of this little group of peers, all of them no doubt seriously disquieted at the course of events, four—Pembroke, Salisbury, Denbigh, and North—visited Fairfax on the 19th. In referring to this visit, the Royalist Lawrans declares that 'Pembroke, in the name of the rest, said they came to cast down their honours at his Excellency's feet, and protested their desire is not to maintain peerage, or any other privilege whatsoever that might be conceived prejudicial to the public interest.' The officers, added this writer disdainfully, both scorned and jeered at them; and when Fairfax mounted his horse, Denbigh held the stirrup.²

How the
demand
was made.

Attend-
ances in
the House
of Lords.

Dec. 19.
A visit to
Fairfax.

No doubt the motives here assigned for the visit of the peers had their origin in the lively imagination of political opponents. Its real object may safely be conjectured to have been the overture about to be made to the King, and this view of the case is cor-

¹ Lawrans to Nicholas, Dec. 25, *Clarendon MSS.* 2,972. Compare the extract given at p. 551, where a third point is added—that Charles shall 'abjure the Scots.'

² Lawrans to Nicholas, Dec. 21, *Clarendon MSS.* 2,968.

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Denbigh's
mission to
the King.Dec. 25.
Cromwell
pleads for
the King's
life.Denbigh at
Windsor.The King
will not
see him.

roborated by the fact that one of the four peers, the Earl of Denbigh, was chosen to carry that overture to Charles, as well as by the fact that on the 21st the Lords fixed a call of their House for the 28th, the day on which the result of Denbigh's mission was likely to be known at Westminster.¹ That this mission had the approval of Cromwell is shown by the urgency with which the Lieutenant-General, speaking on the 25th, exhorted the Council of Officers to spare the King's life as a pure matter of policy, upon his acceptance of the conditions now offered.²

For information on Denbigh's proceedings we have to fall back on the despatches of the French ambassador, Grignon. Denbigh, he tells us, was selected because his family connection with Hamilton³ enabled him to conceal the real object of his mission to Windsor under the pretext of a visit to the Duke. He seems on his arrival to have expected Charles to send for him with a view to the discussion of the terms. As it can hardly be doubted that Charles had been made cognisant of their general purport, his omission to invite Denbigh into his presence may be taken as tantamount to a rejection of the overtures which he brought.⁴

Charles's refusal to admit Denbigh into his pre-

¹ *L.J.* x. 636.

² So much may be gathered from the hostile account in *Merc. Melancholicus*, E. 536, 27.

³ Hamilton's wife had been Denbigh's sister.

⁴ Grignon to Brienne, $\frac{\text{Dec. 25}}{\text{Jan. 4}}$, $\frac{\text{Dec. 28}}{\text{Jan. 7}}$, *R.O. Transcripts*. In the letter of Dec. 28, Grignon writes that Denbigh had not seen the King, 'quoyqu'en effect, ce fust son dessein, qu'ils couvroient de celuy d'aller parler au Duc d'Hamilton son beau-frère, pour pouvoir mieux laisser croire que les ouvertures qu'il vouloit faire audit Roy n'estoient point premeditées, et pour ce il attendoit que le dit Roy le fist appeller: ce qu'il ne voulust pas faire ainsi qu'il a mandé sans en

sence had much the same effect on the Council of Officers as the reply given by him on November 17 to their earlier overtures. On the 25th, after Cromwell's appeal, only a very small minority—composed, it is said, of no more than six¹—had declared in favour of pushing the conflict with the King to extremities. On the 27th Charles was left entirely without supporters in the same council. There are no signs of opposition to an order given on that day that the King should no more be served upon the knee, that all ceremonies of state to him be left off, and his attendants be much fewer and at less charge.²

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Dec. 27.
Effect of
the King's
rejection of
their terms
on the
Council of
Officers.The King's
state cut
off.

Cromwell's motives for engaging in this last attempt to come to terms with the King are matter for conjecture only. Yet apart from his usual habit of hesitating long before he sanctioned the employment of force to cut knots which might be disentangled by mutual agreement, he could not but know that the pleadings of his own heart were reinforced by every motive of policy. The party amongst the officers which in November had followed Fairfax in resisting Ireton's Remonstrance had to be met, whilst outside the army the demand for the King's death was splitting the party of the political Independents in twain. Vane, who had been staunch in approving of Pride's Purge, objected to the King's death, whilst Pierrepont 'expressed much dissatisfaction at those members who sat in the House, and at the proceedings of the General and army.'

Cromwell's
motives for
engaging in
the nego-
tiations,

avoir fait sçavoir la raison; mais encore que Cromwell luy veuille faire parler d'accommodement, il est difficile de croire qu'il desire.' It is inconceivable that Denbigh did not allow a hint of the subject of his mission to reach the King.

¹ *Merc. Melancholicus*, E. 536, 27.

² *Whitelocke*, 365.

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and for
breaking
finally with
the King.

On the other hand, Charles's refusal even to consider the overtures now made through Denbigh must have put an end to every remnant of hesitation remaining in Cromwell's mind. The political situation was at least cleared, as Charles, by insisting on the retention of his negative voice, and on the inviolability of the property of the bishops, had fallen back on his doctrine of his own indefeasible sovereignty in the barest possible form. Cromwell was not one to comprehend the finer shades of Charles's character, or to recognise in the obstinacy with which he clung to the institutions of the past a conscientious desire to do his best for the Church and nation. Still less was he likely to discover that, whatever might have been Charles's duplicity and ignorance of mankind, he was, nevertheless, contending after his own peculiar fashion for the continuity of settled order, which the predominance of an army in political affairs must in all circumstances weaken. It is not in the nature of political strife to take note of those shades of character and intention which mitigate the judgment of posterity. At times of crisis the essential differences appear to stand alone, and when those differences come to be embodied in two opposing personages, the battle is joined as between two deadly and irreconcilable foes.

Charles
and Crom-
well.

That the battle would end in Cromwell's favour might have been foretold by anyone capable of entering into the characters of the two men. The distinction between the strength of Cromwell and the weakness of Charles can hardly be better expressed than in the following words of a writer who has a deep insight into the recesses of the human mind:—
“ A purpose wedded to plans may easily suffer ship-

wreck ; but an unfettered purpose that moulds circumstances as they arise, masters us, and is terrible. Character melts to it like metal in its steady furnace. The projector of plots is but a miserable gambler and votary of chances. Of a far higher quality is the will that can subdue itself to wait and lay no petty traps for opportunity.”¹

Now that the army was again of one mind, the scene of action was transferred to the House of Commons. Here, too, Charles's rejection of the last overture from the army destroyed all opposition, and on the 28th, the House, carrying out the will of the army, read the first time an Ordinance which instituted a special court for the trial of the King. The second reading quickly followed on the 29th, and the Ordinance was finally passed on January 1.² On the 2nd it was sent to the Lords, accompanied by a resolution that ‘by the fundamental laws of this kingdom, it is treason in the King of England for the time being to levy war against the Parliament and kingdom of England.’³ The Ordinance itself appointed Chief Justices Rolle and St. John, together with Chief Baron Wilde, to act as judges, and associated with them, to take the place of a jury, 150 commissioners, of whom twenty were to form the quorum.

Before this Ordinance was despatched to the Lords, Cromwell stood up to explain his position. “If any man whatsoever,” he is reported to have said, “hath carried on the design of deposing the King, and disinheriting his posterity ; or, if any man had

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Dec. 28.
An Ordinance for
the King's
trial in the
Commons.Dec. 29.
1649.
Jan. 1.
Jan. 2.
Sent to the
Lords, ac-
companied
by a reso-
lution.Cromwell
defends his
conduct.

¹ George Meredith's *Evan Harrington*, ch. vii. The words were written without the slightest reference either to Charles or Cromwell.

² *C.J* vi. 105, 106.

³ *Ib.* vi. 107.

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yet such a design, he should be the greatest traitor and rebel in the world; but, since the Providence of God hath cast this upon us, I cannot but submit to Providence, though I am not yet provided to give you advice.”¹ The reference to Providence was with Cromwell an infallible indication of a political change of front; but it usually needed some strong opposition to put him quite at his ease in the new position which he was taking up.

Opposition
in the
House of
Lords.

Such an opposition at once manifested itself when the Ordinance reached the House of Lords. Manchester urged that the resolution declaring the King to be a traitor was in contradiction with the fundamental principles of the law. “Not one in twenty of the people of England,” said Northumberland, “are yet satisfied whether the King did levy war against the Houses first, or the Houses first against him; and, besides, if the King did levy war first, we have no law extant that can be produced to make it treason in him to do; and, for us, my Lords, to declare treason by an Ordinance when the matter of fact is not yet proved, nor any law to bring to judge it by, seems to me very unreasonable.” Pembroke declared himself neutral. He loved not, he said, to meddle with matters of life or death. Denbigh vowed that he would rather ‘be torn in pieces’ than sit as a commissioner at the trial. In the end both Ordinance and resolution were unanimously rejected, and the House then adjourned for a week in the expectation that, in the

¹ *L.J.* x. 641; Blencowe’s *Sydney Papers*, 47; *Heads of a Diary*, E. 356, 34; *Merc. Pragmaticus*, E. 537, 10. Lawrans to Nicholas, Jan. 8, *Clarendon MSS.* 2,996. Walker told the same story in his *Hist. of Independency*, ii. 54, but it is only from Lawrans that we get the date of the speech.

absence of the Lords, the Commons would find it impossible to proceed.¹

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No mere formal obstacle, however, was sufficient to keep back from their purpose the men who were now scattered over the empty benches of the House of Commons. On the 3rd, after summarily rejecting a letter from the Queen, in which she asked leave to visit her husband in his misfortunes,² they gave a first and second reading to a new Ordinance creating a High Court of Justice, and once more passed the resolution thrown out by the Lords. It is possible that they had by this time discovered that the services of the three judges named in the former Ordinance were not to be obtained; at all events, no attempt was now made to secure the assistance of any of the judges. The court was simply to consist of one hundred and thirty-five commissioners, who were to assume the functions both of judge and jury.

Jan. 3.
The Commons reject a letter from the Queen.

A new Ordinance creating a High Court of Justice.

On the 4th the Commons passed three additional resolutions which were strangely democratic as proceeding from so unrepresentative a body:—"That the people are, under God, the original of all just power; that the Commons of England, in Parliament assembled, being chosen by and representing the people, have the supreme power in this nation; that whatsoever is enacted or declared for law by the Commons in Parliament assembled, hath the force of law, and all the people of this nation are concluded thereby, although the consent and concurrence of King or House of Peers be not had thereunto."³

Jan. 4.
Three resolutions.

On January 6 the Act—the name of Ordinance

¹ *Merc. Pragmaticus*, E. 537, 20.

² Grignon to Brienne, Jan. 1⁴/₄, *R.O. Transcripts*.

³ *C.J.* vi. 110, 111.

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Jan. 6.

Passing of
an Act for
a High
Court of
Justice.Its
preamble.

being now dropped¹—was finally passed. Its preamble declared it to be notorious ‘that Charles Stuart, the now King of England, not content with those many encroachments which his predecessors had made upon the people in their rights and freedoms, hath a wicked design totally to subvert the ancient and fundamental laws and liberties of this nation, and, in their place, to introduce an arbitrary and tyrannical government; and that, besides all other evil ways and means to bring this design to pass, he hath prosecuted it with fire and sword, levied and maintained a cruel war in the land against the Parliament and kingdom, whereby the country hath been miserably wasted, the public treasure exhausted, trade decayed, thousands of people murdered, and infinite other mischiefs committed; for all which high and treasonable offences the said Charles Stuart might long since justly have been brought to exemplary and condign punishment. Whereas also the Parliament, well hoping that the restraint and imprisonment of his person, after it had pleased God to deliver him into their hands, would have quieted the distempers of the kingdom, did forbear to proceed judicially against him, but found by sad experience that such their remissness served only to encourage him and his complices in the continuance of their evil practices and in raising of new commotions, rebellions, and invasions; for prevention therefore of the like or greater inconveniencies, and to the end no chief officer or magistrate whatever may hereafter presume traitorously and maliciously to imagine or contrive the enslaving or destroying of the English

¹ *C.J.* vi. 113. The Act itself is printed in the *State Trials*, iv. 1,046. There is a MS. copy of it in the Thomason Tracts (E. 357, 35), dated Jan. 3, and still styled an Ordinance.

nation, and to expect impunity for so doing,' certain persons were appointed 'for the hearing, trying, and adjudging the said Charles Stuart.'

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Unlike the resolution which accompanied the first Ordinance, this preamble, passing rapidly over the legal and constitutional aspect of the case, lays stress upon the practical consideration that a nation cannot suffer itself to be subjected to the will of one man, still less to be kept by that man in a perpetual turmoil. Charles was to be brought to trial mainly because, as long as he lived, England could have no peace, and because his successors needed to be taught that they would be held responsible if they imitated his example.

Character
of the
preamble.

Though there is not a tittle of evidence, one way or the other, it is not unlikely that the practical character of this Act was in some way owing to the influence of Cromwell. Outside Parliament, at least, he was showing his dislike of theoretical solutions of political difficulties. On the day on which the Act creating a High Court of Justice passed the House, the Council of Officers, again taking up the *Agreement of the People*, discussed the clause fixing the date of the dissolution on April 30, 1649. Ireton, always prone to abide by constitutional theory, supported the retention of the clause as giving the only possible security for a speedy return to a system of representative government, whilst Cromwell declared that it would 'be more honourable and convenient for' the members of the House 'to put a period to themselves.' The majority of the Council of Officers indeed sided with Ireton, and the clause was therefore retained;¹ but the course of events was soon to teach those who now voted against Cromwell that

Possibility
of Crom-
well's in-
fluence
appearing
in it.

Question
of the date
of the dis-
solution.

¹ *Clarke MSS.*

the cause to which they were devoted would suffer shipwreck if the possessors of whatever shred of legal authority still remained in existence on the Parliamentary side were alienated by a threat to deprive them of a power to which, for reasons selfish and unselfish, they clung with desperate tenacity. It would be easy for them to argue that, in the midst of the crisis evoked by the trial and execution of the King, it would be fatal to the cause of which they were the champions to plunge the country into the turmoil of a general election.¹

¹ Cromwell, in short, in act if not in words, anticipated the well-known advice of President Lincoln, not to swop horses when crossing a stream.

CHAPTER LXX.

THE HIGH COURT OF JUSTICE.

How strongly opinion was running against the course taken by the House of Commons became manifest on January 8, when the High Court of Justice met for the first time in the Painted Chamber. Out of the hundred and thirty-five persons named as commissioners or judges, only fifty-two appeared. Fairfax, indeed, was there, as well as Cromwell and Ireton. Amongst the colonels of the New Model Army in attendance were Sir Hardress Waller, Pride, Whalley, Harrison, Ewer, Hewson, and Goffe. Lord Grey of Groby, Ludlow, Marten, and Hutchinson, who were also present, had, indeed, never served in that army, but they had, in one capacity or another, held commands on the side of Parliament. The civilian members were less conspicuous. It was probably on account of the thinness of the attendance that the Court without proceeding to business adjourned itself to the 10th, first ordering proclamation to be made of its next sitting. This order, however, bore no more than thirty-seven signatures. Fairfax not only abstained from signing, but he never appeared in the Court a second time.¹

It is not unlikely that the Lords, when they met on the 9th after a week's adjournment, were encouraged by these abstentions to take up a position of their own. They appointed a committee to draw up

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Jan. 8.

First meet-
ing of the
Court.A poor at-
tendance.Jan. 9.
The Lords
take the
question in
hand.¹ *State Trials*, iv. 1,052.

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an Ordinance to the effect ‘that whatsoever King of England shall hereafter levy war against the Parliament and Kingdom of England shall be guilty of high treason and be tried in Parliament.’¹ As, however, the course thus proposed left Charles still King of England, it did not offer even as much security as would result from his deposition, and the minority who now swayed the House of Commons had no mind to content themselves even with his deposition. They had come to the conclusion that ‘stone dead hath no fellow,’ and that as long as Charles lived there would be no peace in the land.

Communi-
cation be-
tween the
Houses
broken off.

It was, moreover, unlikely that any suggestion made by the Lords, whatever its nature might be, would meet with favour in the Commons. Though they had hitherto kept up intercourse with the other House, the Commons had claimed the right of passing Acts of Parliament without its sanction, and when some Ordinances relating to public business were now sent down to them, it was only by a majority of 31 to 18 that the messengers were admitted, and by a majority of 33 to 19 that a formal answer was returned that the House would send an answer by messengers of its own. That answer was never sent, and day after day the Lords contented themselves with business of such a nature as not to necessitate application to the other House. On their part, the Commons gave a clear indication of the direction in which they were tending by ordering that a new great seal should be engraved in which all share in government was implicitly denied to the House of Lords. On one side was to be a map of England and Ireland, with the arms of the two countries; on the

A new great
seal.

¹ *L.J.* x. 642. The suggestion has a certain resemblance to that made on December 11 by some London citizens. See p. 550.

other a representation of the House of Commons with the inscription: "In the first year of freedom, by God's blessing restored, 1648."¹

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The Commons having thus asserted their claim to supreme Parliamentary authority, left the field open for the action of the High Court of Justice. When the Court met again on the 10th, forty-five members only being present, it chose as its president Serjeant Bradshaw, one of the very few lawyers who were prepared to countenance the revolutionary proceedings against the King. Various preliminary arrangements were made on the 12th and 13th, and on the 15th the number of attendances having risen to fifty-six, a draft of the charge against the King was read. On the 17th it was ordered that Charles should be lodged in Cotton House—formerly the residence of Sir Robert Cotton—on account of its close proximity to Westminster Hall, the place appointed for the trial. It was also ordered that during the sessions of the Court, the Hall should be guarded by a strong force of soldiers, and that barricades should be set up to keep off the pressure of the crowd. It was finally decided that the trial should begin on the 20th.²

Jan. 10.
Bradshaw
President
of the
Court.

Jan. 12-25.
Prelimin-
ary sittings
of the
Court.

Jan. 17.
The King
to be
brought to
Cotton
House.

In the presence of this great resolve it was impossible to obtain the attention of practical men for those questions relating to the ultimate depository of constitutional authority which had appeared all-important to theoretical politicians like Lilburne. On the 15th, indeed, the Council of Officers completed the *Agreement of the People*; Lilburne, however, having discovered that the officers intended to present the document to the Commons instead of circulating it for signature amongst the people and compelling its adoption by the House, had for some days past withdrawn

Jan. 15.
The *Agree-
ment of
the People*
completed,

¹ *i.e.* 1648^s.

² *State Trials*, iv. 1,055-1,063.

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Jan. 20,
and laid
before the
House.A dilatory
answer.Question
of deposing
the King
raised.1648.
Dec. 29.
Elizabeth
Pool's
vision.1649.
Jan. 5.
She wants
the officers
not to put
Charles to
death.

from the discussion. He justly regarded a mere request to a body of the nature of the existing House of Commons that it should make way for another elected on more popular principles as little better than a farce. When on the 20th the officers laid the Agreement before the House, they humbly begged the Commons to take it into consideration and to circulate so much of it as they thought fit amongst the people, adding a request to the well-affected amongst them to notify their acceptance of it by appending their signatures.¹ The officers obviously intended to create a new constituency of 'the well-affected' only. But they were in no mood to press their point, and when the House returned the purely dilatory answer that the Agreement should be taken into consideration as soon as 'the necessity of the present weighty and urgent affairs would permit,'² they acquiesced without a murmur. Cromwell's prevision that it would be impossible to induce the House to attend to the formation of a new constitution whilst the life and death of the King hung in the balance was justified by the event.³

On the actual question of the day Cromwell's mind was no less fully made up. The idea that it would be wiser to dethrone Charles than to put him to death had naturally found favour in many quarters. Even amongst the more zealous members of the sects this idea was not entirely absent. On December 29 a certain Elizabeth Pool made her way into the room in which the Council of Officers was sitting, to tell them that she had learnt by a vision that the army was the chosen instrument of God for the healing of the nation; and on January 5 she re-appeared, to inform the officers that, though God had

¹ *An Agreement of the People*, E. 539, 2; *Legal Fundamental Liberties*, p. 35, E. 560, 14.

² *C.J.* vi. 122.

³ See pp. 563, 564.

permitted the army to imprison the King, He forbade them to put him to death.¹ What was more serious was that a large number of the Independent statesmen, who had shared with Cromwell the burden and heat of the late struggle, would have nothing to do with the King's execution. What Cromwell said to his 'dear brother' Vane we do not know; but when young Algernon Sidney made the purely legal objection that 'first, the King can be tried by no court; secondly, no man can be tried by this court,' Cromwell dashed away the appeal to mere constitutional legality. "I tell you," he retorted fiercely, "we will cut off his head with the Crown upon it."² The legal formulas which had fenced the majesty of the King had ceased to be applicable.

On January 19 Charles was brought from Windsor to St. James's Palace. The secret of his removal had been so well kept that nothing was known of it till his actual arrival. On the morning of the 20th, the day on which the trial was to begin, he was carried in a sedan-chair to Whitehall, whence he was subsequently taken to Cotton House by water, with the evident intention of evading a popular demonstration in his favour.³ When he landed at the foot of the steps which led up from the river to the garden of the house, the court by which he was to be tried was already sitting privately in the Painted Chamber, engaged in settling the best mode of dealing with eventualities which might occur in the course of its

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Jan. 20.
Views of
some of the
Independent states-
men.Jan. 19.
The King
brought
to St.
James's,Jan. 20,
and to
Cotton
House.A session
of the
Court in
the
Painted
Chamber.

¹ *Clarke MSS.; A Vision*, E. 537, 24.

² A. Sidney to Leicester, Oct. 12, 1660. *Blencowe's Sydney Papers*, 237.

³ Grignon to Brienne, ^{Jan. 22}_{Feb. 1}, *R.O. Transcripts*. On the morning of the 20th Vane, who had of late absented himself 'by scruple of conscience, as it was said, came again and sat in the House of Commons.' Leicester's Diary, *Blencowe*, 54. He may have come in order to use what influence he had against a death-sentence.

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proceedings. It is said that Cromwell, catching sight of the King passing from the river through the garden of Cotton House, reminded his fellow-commissioners that they must be ready with an answer if Charles should demand by what authority they sat; and that Marten, after an interval of silence, gave the reply: "In the name of the Commons in Parliament assembled, and all the good people of England."¹

The Court
in West-
minster
Hall.

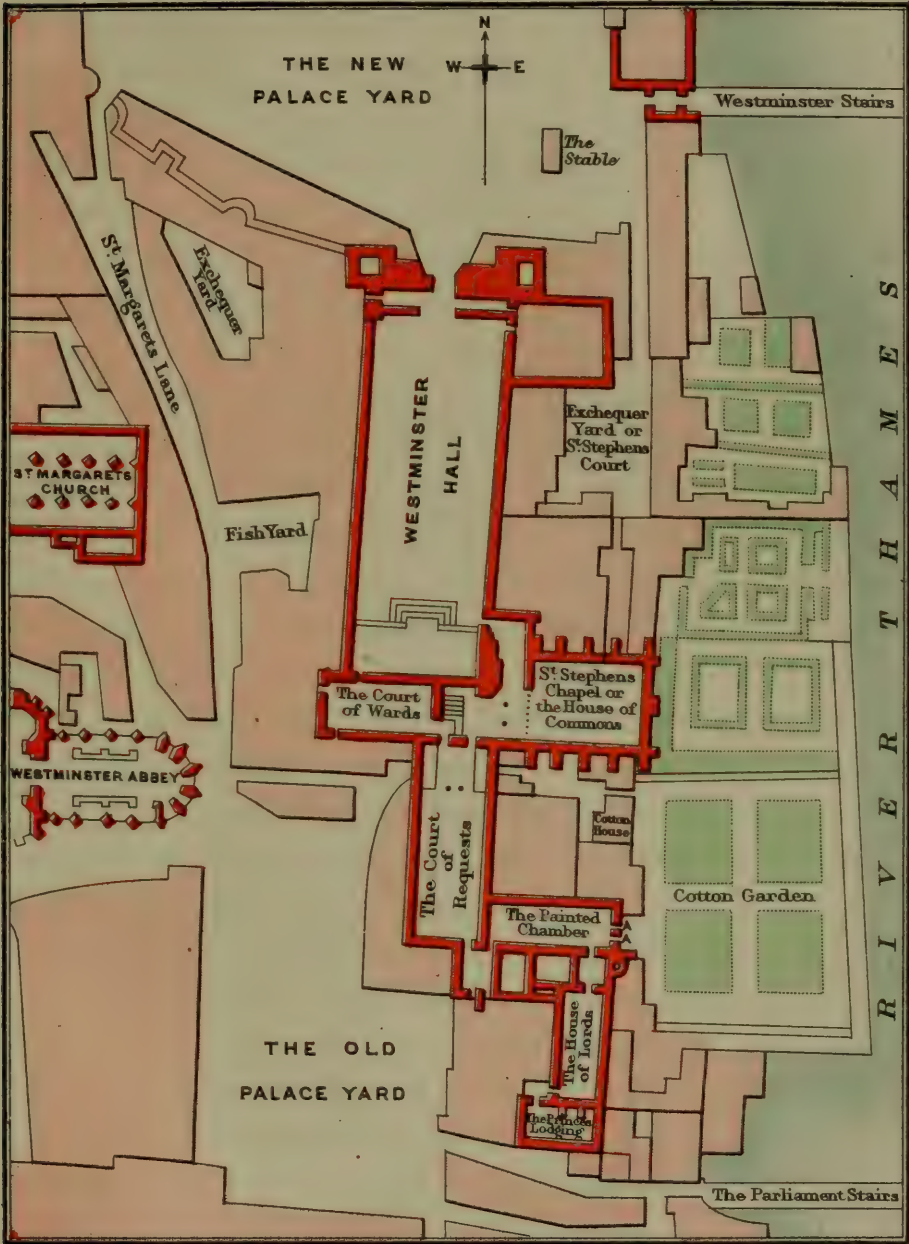
Prepara-
tions for
the trial.

Whether these words were actually used or not, the Court almost immediately after Charles's arrival adjourned to Westminster Hall, where seats were set for its members on the raised dais at the upper or southern end. A bar had been fixed across the Hall also on the dais, and in front of this, after some hesitation, Bradshaw directed that a chair, covered with crimson velvet, should be set for the King immediately facing the judges. Behind this chair was a space reserved for the guards under Hacker, who were appointed to secure his person, and behind them, again, were drawn up a large number of soldiers under Colonel Axtell, whose duty it was to keep back the crowd, which was freely admitted through the great entrance at the northern end of the Hall. On either side of the Court, at the corners of the Hall, were two galleries, filled with ladies and other privileged persons. It was doubtless in fear of danger from this quarter that Bradshaw provided himself with the shot-proof hat which is still preserved in the Ashmolean Museum at Oxford.

¹ The story was told by Sir Purbeck Temple at Marten's trial after the Restoration (*State Trials*, v. 1,201). Temple said that he witnessed the scene through a hole in the wall, and that Cromwell ran back from the window 'as white as the wall.' Neither of these statements is very probable, but the story, if it be not true, was at least well invented. As printed Marten's answer runs, 'The Commons and Parliament.'

WESTMINSTER HALL AND THE SURROUNDING BUILDINGS.

A.A. Windows, from one of which Cromwell saw the King coming through Cotton Garden.



Longmans, Green & Co., London & New York.

F.S. Weller, F.R.G.S.

When the roll was called, sixty-eight of the judges answered to their names. To that of Fairfax the only response was a cry from a masked lady in the gallery—afterwards ascertained to be Lady Fairfax: “He has more wit than to be here.”¹ As soon as the call was over, the King, having been brought in by the guards, took his seat. He gazed round at the soldiers, but, as might have been expected, showed no sign of respect to the Court.²

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Lady Fairfax's cry.
Charles brought in.

The charge was read by John Cook, who had been appointed solicitor of the Commonwealth for the purposes of this trial. In the main it followed the lines of the Act on which it was based, alleging that Charles Stuart, King of England, having been ‘trusted with a limited power to govern by and according to the laws of the land, and not otherwise, had attempted to erect an unlimited and tyrannical power to rule according to his will, and, in pursuance of this design, had levied war against the present Parliament, and the people therein represented.’ Then, after reciting instances in which Charles had appeared in arms during the first war, the charge proceeded to accuse him of being the author of the second war, and of the revolt of the fleet. Since that time, it was alleged, he had issued commissions to the ‘Prince and other rebels and foreigners, and’ also to ‘Ormond, and to the Irish rebels and revolvers associated with him.’ On these grounds, Cook impeached Charles Stuart ‘as a tyrant, traitor, murderer, and a public and implacable enemy of the Commonwealth of England.’³

The charge read.

Those who promoted this charge threw their case away by forsaking the political ground on which

¹ *Clarendon*, xi. 235.

² *State Trials*, iv. 1,069.

³ *Ib.* iv. 1,070.

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Weakness
of the legal
case
against
Charles.

they were strong for the legal ground on which they were weak. In Charles they had to do with the man who of all others was most capable of taking advantage of their error. Even whilst Cook was still speaking, Charles had attempted to interrupt him by touching the sleeve of his gown with a silver-headed cane. The head of the cane fell off, and Charles, accustomed, even at Carisbrooke and Hurst Castle, to be waited on by those who were ready to anticipate his slightest wish, looked round in vain for someone to pick it up. For a moment his loneliness was brought home to him, as it had never been before. Yet he quickly recovered himself, stooping to pick up what he had lost, and being able, on hearing himself styled a traitor, to burst into a laugh.¹

Charles
called on to
answer.Another
interrup-
tion from
Lady Fair-
fax.

When Cook had completed his task, Bradshaw called on the King to answer to the charge, 'in the behalf of the Commons assembled in Parliament and the good people of England.' Once more Lady Fairfax's voice was raised. "It is a lie," she said; "not half, nor a quarter of the people of England. Oliver Cromwell is a traitor." Axtell, losing his temper, ordered his men to fire into the gallery; but the men, better advised, disobeyed the order, and Lady Fairfax was induced to leave the Court.²

Charles
questions
the
authority
of the
Court.

When the disturbance was at an end, Charles, as Cromwell had foreseen, asked by what authority he had been brought to the bar. There were, he said,

¹ "Also the head of his staff happened to fall off, at which he wondered; and seeing none to take it up, he stooped for it himself." *State Trials*, iv. 1,074. This seems more probable than that, as was said at the time, he regarded the fall of the head of the cane as ominous of his own impending fate.

² I take the full form as given by the Chief Justice at Axtell's trial (*Ib.* v. 1,146). Axtell did not deny the statement that he ordered the [men to fire, and the story may therefore be regarded as true, at least in its main points.

many unlawful authorities in the world, such as thieves and robbers. He refused to reply to the charge against him, till that preliminary question had been answered.

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Bradshaw replied that the prisoner was where he was by the authority of the people of England, by whom he had been elected King. It was but to introduce one more controversial point into a controversy sufficiently heated before. Charles declared that he was king by inheritance, not by election. For him to answer, except to lawful authority, would be to betray his trust and the liberties of the people. After this, Charles was removed to Cotton House, the soldiers, as he passed, shouting "Justice! Justice!" at Axtell's bidding. From the lower end of the hall to which civilian spectators were admitted, counter cries were raised of "God save the King!"

A warm
contro-
versy.

The King
withdrawn.

Argumentatively, the victory lay with Charles; but it was hard for the Court to acknowledge the weakness of its reasoning, and, on the 22nd, he was brought back to the bar that he might once more hear from Bradshaw's lips a reassertion of that authority of the Court which he had defied two days before. Being perfectly devoid of fear, and careless whether he saved his life or lost it, Charles now spoke out yet more plainly than on the previous occasion. "It is not," he said, "my case alone; it is the freedom and liberty of the people of England; and do you pretend what you will, I stand more for their liberties; for, if power without law may make laws, may alter the fundamental laws of the kingdom, I do not know what subject he is in England that can be sure of his life, or anything that he calls his own."¹ Charles's reasoning was not unanswer-

Jan. 22.
Another
wrangle.

¹ *State Trials*, iv. 1,082.

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able ; but it could not be satisfactorily answered by those who were attempting to give a legal form to a revolutionary proceeding, and after a prolonged altercation Bradshaw had no choice but to order the removal of the prisoner.

Effect of
the King's
language.

Major
White's
argument.

What effect the King's language must have had upon persons untouched by party spirit may be judged from a letter addressed to Fairfax by Major White, who, in 1647, had been temporarily expelled from the army for avowing that there was at that time no power in England excepting that of the sword.¹ He now reverted to the same idea. "I do not understand," he wrote, "how it" (that is to say, the taking away of the King's life) "may be done by any legal authority, according to the kingly government : though it may be a just thing, yet I know not how it may justly be done. I never heard of any throne erected on earth either by God or men for the judging of a king, until the erecting of this late tribunal at Westminster. . . . If it be thoroughly examined, we may find that the King hath no other right to the military, regal, and legislative power than the sword did constitute and invest him with by Divine permission, the people submitting thereto for fear, and to avoid greater² mischief ; but now, the King and his party being conquered by the sword, I believe the sword may justly remove the power from him, and settle it in its original fountain next under God—the people ; but to judge or execute his person I do not understand any legal authority in being can justly do it. I doubt not but the sword may do it ; but how righteous judgment that may be, that God and future generations will judge. It is clear that the military power is

¹ See p. 196.

² 'greatest' as printed.

exalted above the regal and legislative power, and is now come to the throne of God and under no other legal judgment until there be a legal authority erected as is offered in the *Agreement of the People*, to which it may submit; and seeing God hath, in righteousness, for the sins of the people and their king, brought us into this unhappy condition, I therefore plead with your Excellency to use the sword with as much tenderness as may be to preserve the lives of men, and especially the life of the King.”

“I am not against judging the person of the King,” continued White; “but I say it is by no legal authority but only what the sword exalteth. Although it be not an exact martial court, yet it is little different, and not a legitimate authority to the King. Yet it may as justly judge him as ever he judged the people, and may dethrone him and divest him of all power and authority in the English nation; and I think it is necessary so far to proceed and to detain him a prisoner of war till he may be delivered with safety to yourself and the nation. . . . I do not understand any essential good can accrue to the people by the taking away his life, for it is not so much the person that can hurt as the power that is made up in the kingly office by the corrupt constitution; for if the person be taken away, presently another layeth claim to the kingly office, and, for anything I know, hath as much right to the dominion as his predecessor had, and will questionless have all the assistance that this person can procure for the attaining thereof, and will be able to do more mischief because he is at liberty, and this¹ under your power.”²

¹ *i.e.* this one.

² White to Fairfax, Jan. 22, *The Copies of several Letters*

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The Court
impervious
to his
objections.Jan. 23.
Another
attempt to
make
Charles
plead.His default
recorded.Intention
to sentence
him as con-
tumacious.Jan. 24.
Postpone-
ment of the
public
sittings.Dissen-
sions
among the
members
of the
Court.

To such reasoning, based on considerations of practical expediency, the Court was as impervious as it was to Charles's reasonings based on considerations of constitutional legality. It was only with the latter that it was officially called upon to deal, and it could not, even if it had wished to do so, now abandon the position that it had legal authority over the King. On the 23rd another attempt was made to bring the King to plead, but there was nothing to be spoken on either side that had not been already said, and before Charles was, for the third time, removed, Bradshaw directed the clerk to 'record his default.' The Court then adjourned to a private session in the Painted Chamber, announcing its intention to re-assemble in Westminster Hall on the following morning. From the language of Cook and Bradshaw there can be little doubt that the more active spirits amongst the judges had resolved to treat the King as contumacious, and to proceed without delay to pronounce judgment against him. When, however, the clock struck ten on the morning of the 24th, the crowd which had gathered to witness the scene was informed that the Court was sitting in the Painted Chamber, and that there would be no public session on that day.

What little is known of the internal proceedings of the Court points to dissensions between its members as being the cause of this unexpected decision. Some of those who had consented to sit as judges had done so with considerable qualms of conscience.¹ Others, like Nicholas Love,² may have persuaded

E. 548, 6. The paragraph about danger from the Prince makes it likely that White was the author of the letter mentioned at p. 553.

¹ Downes may be taken as a specimen of this class. *State Trials*, v. 1, 210.

² See p. 554.

themselves that the result of the trial would be a surrender on the part of the King, whilst there were others again who wished the proceedings to terminate in his mere deposition. Much, too, had occurred during the last few days to shake the resolutions of some of those who had been at first inclined to support a harsher sentence. Not only had the bearing of the King been dignified and his appeal to the law convincing, but there could be no shadow of doubt that the Court was thoroughly unpopular. The Presbyterian clergy had preached heartily in the King's favour, and had drawn up an argumentative criticism of the claim of the Court to try him,¹ which was hardly counterbalanced by a fiery sermon preached on the previous Sunday by Hugh Peters from the text, "To bind their kings in chains, and their nobles in fetters of iron."

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A Presbyterian
argument.Jan. 21.
Hugh
Peters's
sermon.

Far more serious was the possibility that all this seething disquietude might find a leader in Fairfax, whose great popularity in the army would make it difficult to persist in a design which he resolved actively to oppose.² Fairfax, however, had not sufficient decision of character to take a decided course of his own, and he remained now, according to his usual habit, as politically helpless as he was vigorous in the field.

Fairfax's
position.

The wave of feeling passing over England gave additional weight to the protests raised by a body

Protests of
the
Scottish
Commis-
sioners.

¹ *An Apologetical Declaration*, E. 539, 9. This was published on the 24th.

² "Sunday was se'nnight," *i.e.* Jan 21, "Cromwell put a guard upon Fairfax, accusing him of an intention to deliver the King." News from Rouen, ^{Jan. 31}_{Feb. 10}, *Carte MSS.* xxiii. fol. 395. If this had been true, something would have been heard of it from other quarters, but it is more than probable that Cromwell was at this time anxious about Fairfax.

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of Scottish commissioners, who with Lothian at their head had recently arrived from Edinburgh. On three occasions—on the 6th, the 19th, and the 22nd—they denounced, in the name, first, of the Committee of Estates, and, secondly, of the Scottish Parliament, the proceedings taken against the King.¹ The alliance between Cromwell and Argyle had been too artificial to last long, and had now entirely broken down. When the new Scottish Parliament, summoned by Argyle, met on January 4, it declared strongly against the trial, partly, no doubt, through abiding affection towards the native King of Scotland; partly, also, through dread of the dangerous predominance of the Independent army.²

Jan. 23.
Signs of
division.

Even on the 23rd there were signs of an attempt on the part of those who directed the proceedings of the Court to conciliate opposition, as the crime charged against the King of being a tyrant, traitor, and murderer, then dwindled, in the mouth of the clerk, to his having been guilty of ‘divers high crimes and treasons.’³ Judging from the course taken on the 24th, there is strong reason to believe that when, on the 23rd, the Court held a private sitting after the King had been removed for the third time, there was a revolt against the proposal to put him to death as contumacious.

Jan. 24.
A meeting
in the
Painted
Chamber.

However this may have been, when the judges again met on the morning of the 24th, not, as had been proclaimed on the preceding day, in Westminster Hall, but in the Painted Chamber, it was announced that the Court was about to take evidence

¹ *A Letter from the Commissioners of Scotland*, E. 539, 11.

² *Acts of the Parl. of Scotl.*, vi. Part ii. 140.

³ *State Trials*, iv. 1, c9^l.

for its own satisfaction, a course which cannot be regarded as anything else than a mere device for gaining time, whilst an effort was being made to heal the existing divisions. It is certain that the depositions, the reading of which occupied two days, served no other purpose. They referred, for the most part, to the presence of the King at the head of his army on various occasions, and they were followed by the reading of papers, the contents of which have not been handed down, but which were probably concerned with the messages sent by the King at various times to invite foreign armies into England.¹

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Jan. 24, 25.
Evidence
produced.

Such evidence could convince no one who was not convinced already, and the real interest of the two days lay in the arguments and solicitations of those who were most eager to obtain the King's conviction; though assuredly neither their own minds, nor those of others to whom they addressed themselves, were made up by the details now painfully being recited in the Painted Chamber. The attendance was scanty, and though there were three roll-calls during the two days, Ireton's name does not appear on any one, whilst that of Cromwell, though it is only once absent, appears on the list as eleventh on one occasion, and eighteenth on another, thus making it probable that on both days he came into Court some time after the commencement of the proceedings.²

The evi-
dence
worthless.

Ireton and Cromwell were no doubt busily employed in steeling the hearts of the weak. "The general," wrote an observant spectator, "was baited with fresh dogs all Tuesday night,³ to bring him into

Cromwell
and Ireton
busy.

¹ *State Trials*, iv. 1,099.

² *Ib.* iv. 1,099, 1,100, 1,111.

³ *i.e.* the night of the 23rd.

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Cromwell
argues with
the Scots.

the Hall on the morrow, to countenance the business ; but by no means would he consent.”¹

Cromwell fancied it possible to convince even the Scots. With them, we are told on what is perhaps sufficient authority for the main drift of his reasoning,² he ‘entered into a long discourse of the nature of the regal power according to the principles of Mariana and Buchanan.’³ He thought a breach of trust in the King ought to be punished more than any crime whatsoever ; he said, as to their covenant, they swore to the preservation of the King’s person in defence of the true religion ; if, then, it appeared that the settlement of the true religion was obstructed by the King, so that they could not come at it but by putting him out of the way, then their oath could not bind them to the preserving him any longer. He said, also, their covenant did bind them to bring all malignants, incendiaries, and enemies to the cause to condign punishment, and was not this to be exercised impartially ? What were all those on whom public justice had been done, especially those who suffered for joining with Montrose, but small offenders acting by commission from the King, who was, therefore, the principal, and so the most guilty.’

Such were the arguments which it may be supposed that Cromwell also addressed with some alteration to his English colleagues. Not the technical breach of the law by appearing in arms at

¹ Lawrans to Nicholas, Jan. 26. *Clar. St. P.* ii. li.

² Burnet, *Hist. of his Own Time*, i. 42. Burnet was told this by Lieut.-Gen. Drummond, who was present.

³ It is hardly likely that Cromwell quoted either, and least of all Mariana. Burnet or Drummond probably meant that Cromwell’s principles were those held by Mariana and Buchanan.

Edgehill or Naseby was the rock of offence with him, but the breach of trust and the calculated design to suppress what he held to be the true religion.

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When the dreary reading of evidence came to an end on the 25th, it appeared that Cromwell had not argued in vain.¹ It was resolved 'that the court will proceed to sentence against Charles Stuart, King of England; that the condemnation of the King shall be for tyrant, traitor, and murderer; that the condemnation of the King shall be likewise for being a public enemy to the Commonwealth of England; that this condemnation shall extend to death.'² Those who passed this resolution, however, numbered only forty-six, and it was probably on this ground that the votes were declared to be merely preliminary and not binding on the Court. At the same time a committee was appointed to draw up a sentence on the King, with a blank for the manner of his death.

Jan. 25.
A preliminary
resolution.

On the morning of the 26th, no less than sixty-two commissioners assembled in the Painted Chamber. The struggle between the resolute and irresolute was now approaching its termination. Those who had a definite aim before them carried the day, gaining their object on all points of importance. They now procured the assent of the whole Court to a sentence upon the King which had been drafted by the Committee appointed at the last sitting, according to

Jan. 26.
The sentence
accepted by
the Court.

¹ It was said by some of the regicides when they were tried that threats were used. Mrs. Hutchinson, however, who hated Cromwell, declares that there was nothing of the kind (*Life of Col. Hutchinson*, ed. Firth, ii. 159). After the Restoration the regicides were, of course, interested in describing themselves as threatened, and persuasion from the mouth of the master of the army would sound very like a threat.

² *State Trials*, iv. i, 113.

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which Charles ‘as a tyrant, traitor, murderer, and public enemy to the good people of this nation, shall be put to death by the severing of his head from his body.’¹ The specific charge of high treason was not mentioned, probably to meet the scruples of those who urged that it could only be committed legally against the person of a king.

Was the
King to be
sentenced
as contu-
macious?

On a minor point the sterner members of the Court had to submit to a compromise. As late as the 24th they intended that the King should not be heard again, and that the sentence should be pronounced on him as contumacious in his absence; as appears from his removal on that day from Cotton House in the immediate neighbourhood of Westminster Hall to St. James’s Palace, and it is highly probable that they were still of the same mind on the 25th, and even on the morning of Friday, the 26th. On the last-named day, however, the idea of condemning him in his absence was definitely abandoned, as appears from a clause added to the sentence then adopted from the report of the Committee, to the effect ‘that the King be brought to Westminster tomorrow to receive his sentence.’ By far the most probable hypothesis is that this addition was called forth by the reluctance of some of the judges to proceed further without giving the King one more chance of pleading for his life. How strong was their unwillingness to proceed to extremities is manifested by their refusal to sign the death warrant—in which the charge of high treason definitely reappears—though it had not only been drawn up on the evening of the 25th or the morning of the 26th, but had already been signed by some of their more

The King
to be
brought to
hear his
sentence.

¹ *State Trials*, iv. 1, 121.

resolute colleagues. There can be little doubt that those who had thus prepared and signed it expected that the King would be sentenced as contumacious on the 26th, and would be executed on the following day, the 27th.¹ At all events it is capable of proof

¹ The late Mr. Thoms, in a series of articles in *Notes and Queries* for July, 1872 (reprinted in pamphlet form in 1880 under the title of *The Death Warrant of Charles I.*), reproduced, as far as its reproduction is possible in type, the original warrant now in the library of the House of Lords. The following copy is therefore taken from Mr. Thoms's pamphlet.

The Death Warrant of Charles I.

At the high Co^urt of Justice for the tryinge and iudginge of Charles Steuart Kinge of England January xxixth Anno Dñi 1648.

Whereas Charles Steuart Kinge of England is and standeth convicted attaynted and condemned of High Treason and other high Crymes, And sentence
was

vppon Saturday last pronounced against him by this Co^urt to be putt to death by the severinge of his head from his body Of w^{ch} sentence execu^{ti}on yet remayneth to be done, These are therefore to will and require you to see the said sentence executed *In the open Streete before Whitehall vppon the morrowe being the Thirtieth day of this instante moneth of January betweene the houres of Tenn in the morninge and Five in the afternoone of the same day wth full effect* And for soe doing this shall be yo^r sufficient warrant And these are to require All Officers and Souldiers and other the good people of this Nation of England to be assistinge vnto *you in this Service* Given vnder o^ur hands and Seales

To Colonell Ffrancis Hacker, Colonell Huncks
and Lieutenant Colonell Phayre and to every
of them.

Jo. Bradshawe	L.S.	Hen. Smyth	L.S.	John Dixwell	L.S.
Tho. Grey	L.S.	Per. Pelham	L.S.	Valentine Wanton	L.S.
O. Cromwell	L.S.	Ri. Deane	L.S.	Symon Mayne	L.S.
Edw. Whalley	L.S.	Robert Tichborne	L.S.	Tho. Horton	L.S.
M. Liuesey	L.S.	H. Edwardes	L.S.	J. Jones	L.S.
John Okey	L.S.	Daniel Blagraue	L.S.	John Moore	L.S.
J. Daüers	L.S.	Owen Rowe	L.S.	Gilbt. Millington	L.S.
Jo. Bouchier	L.S.	William Purefoy	L.S.	G. Fleetwood	L.S.
H. Ireton	L.S.	Ad. Scrope	L.S.	J. Alured	L.S.
Tho. Mauleuerer	L.S.	James Temple	L.S.	Robt. Lilburne	L.S.
Har. Waller	L.S.	A. Garland	L.S.	Will. Say	L.S.
John Blakiston	L.S.	Edm. Ludlowe	L.S.	Anth. Stapley	L.S.
J. Hutchinson	L.S.	Henry Marten	L.S.	Greg. Norton	L.S.
Willi. Goff	L.S.	Vinct. Potter	L.S.	Tho. Challoner	L.S.
Tho. Pride	L.S.	Wm. Constable	L.S.	Tho. Wogan	L.S.
Pe. Temple	L.S.	Rich. Ingoldesby	L.S.	John Venn	L.S.
T. Harrison	L.S.	Willi. Cawley	L.S.	<i>Gregory Clement</i>	L.S.
J. Hewson	L.S.	Jo. Barkstead	L.S.	Jo. Downes	L.S.
		Isaa. Ewer	L.S.	Tho. Wayte	L.S.
				Tho. Scot	L.S.
				Jo. Carew	L.S.
				Miles Corbet	L.S.

The words in italics have been written over erasures, except the signature of Gregory Clement, which is merely erased. The word

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that those who signed on the 26th were not more in number than twenty-eight, if indeed they were so

'thirtieth' is spread out so as to occupy a space large enough to contain 'twenty-sixth' or 'twenty-seventh.'

From the evidence of the erasures in the death warrant, Mr. Thoms argued that it was originally drawn up not later than the 26th, the date to which he assigned it. In three articles in the *Athenæum* for Jan. and Feb. 1881, Mr. Reginald Palgrave argued at length that the date assigned to the warrant by Mr. Thoms was not early enough, and that it was really drawn up on the afternoon of the 23rd or the morning of the 24th. Whilst acknowledging the service rendered by him in pointing out the signs of hesitation in the Court from the 23rd to the 26th, I find myself unable to concur in his main proposition.

His belief is that there was a preliminary sentence given on the 23rd and a warrant founded on it, but that they were held back in consequence of the Scottish remonstrance on the 22nd. That the Scottish remonstrance had some part in the delay is likely enough, but the attitude of the Scots had been known since the 6th, and I cannot but think that internal dissensions in the Court and the opposition of Fairfax had more to do with the matter. This is, however, a mere question of opinion, and it is also unnecessary to dwell on Mr. Palgrave's mistake in speaking of a Presbyterian party in the Court itself.

As Mr. Palgrave cannot produce any official evidence of a sentence delivered on Jan. 23, he has recourse to two passages, one in Mrs. Hutchinson's *Memoirs* and the other in those of Ludlow, to show that the King was sentenced on the third day of the trial—the 23rd. Mrs. Hutchinson (ed. Firth, ii. 152) writes thus: 'The King refused to plead, disowning the authority of the Court, and after three several days persisting in contempt thereof was sentenced to suffer death.' I can see nothing in these words except a compressed statement that the King was heard on three days and afterwards sentenced to death. Mrs. Hutchinson wrote long after the time from general recollection, and if she had had a curious piece of secret history to reveal she would surely have been more explicit. Ludlow is still less to the point. He, too, mentions the three days, and then (ed. 1751, i. 241) says that 'the Court adjourned into the Painted Chamber; and, upon serious consideration, declared the King to be a tyrant, traitor, murderer, and a public enemy to the Commonwealth.' Ludlow, who is never particular about dates, did not, I presume, think it necessary to specify that the serious consideration occupied two days whilst witnesses were examined for form's sake.

On the other hand, there is the strongest *primâ facie* evidence that the date selected by Mr. Thoms—the 26th—was the one which it was intended to bear, though it may have been actually written out on the evening of the 25th. The death warrant in its unaltered parts

many.¹ No doubt it was only a radical misunderstanding of Charles's character could lead to the supposition that he could be induced by the terror of death to descend from the high position which he had taken up on the 23rd; but there were men sitting in that Court ready to resort to any subterfuges in the vain hope of delaying the fatal day a little longer.

Accordingly the death warrant was set aside for the time. On Saturday, the 27th, Charles was once more brought to the bar of the Court, sixty-seven commissioners being present. As he entered the hall cries for 'justice and execution' were loudly raised. Stopping an attempt made by Charles to speak, Bradshaw opened the proceedings with a narrative showing the past

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Jan. 27.
The King
again at
the bar.

Brad-
shaw's
speech.

refers to a sentence pronounced against Charles to be executed by beheading for treason 'upon the morrow.' The 27th was a Saturday, and as Puritans would not, as Mr. Palgrave argues, have imagined it possible to fix the execution for a Sunday, the ostensible date of the warrant cannot be later than Friday, the 26th, the day on which the Court would have sentenced Charles in *contumaciam*, if that course had been adopted. On the other hand, we have no positive evidence of any weight to induce us to accept an earlier date for the warrant.

Mr. Palgrave's negative evidence appears to me equally unsatisfactory. As the warrant directed in unaltered words that the execution should take place on the following day, he argues that it could not have been drawn up on the 26th, because the 27th was fully occupied with the sitting of the Court in which Charles was actually sentenced. This argument would be deserving of consideration if it could be shown that those who drew up the death warrant expected things to take the turn they did. It vanishes if we accept what appears to me the very probable hypothesis, that those who prepared the warrant and dated it on the 26th, expected the Court to sentence the King as contumacious, and without hearing him again to have him executed on the 27th. I cannot see that there is any knot to be unravelled which makes it worth while to have recourse to what is in itself a very improbable explanation without a scrap of direct evidence in its favour.

¹ Garland, whose name stands twenty-ninth, stated (*State Trials*, v. 1,215), when tried in 1660, "I do confess this; I sat and on the day of sentence signed the warrant for execution." This is, to my mind, a plain statement that he signed it on the 27th.

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Charles
appeals to
Parlia-
ment.

forbearance of the Court. Charles, he said, had been called to answer in the name of the people of England. At this point he was interrupted by a cry of 'Not half the people!' from a lady present.¹ As soon as order was restored Bradshaw went on to say that, upon the contumacy of the prisoner and the notoriety of the fact, the Court had agreed upon a sentence, but that, as the prisoner had expressed a wish to be heard, it was ready to listen to him provided that he did not question its jurisdiction. Charles replied by protesting that he had taken his course through regard for the liberties of his subjects and not at all for his own interests, and ended by asking to be heard before the Lords and Commons in the Painted Chamber. In other words, he wished to appeal from the Court to a political assembly.

The King's
request re-
jected.Bradshaw
cites pre-
cedents.The sen-
tence
read.

To consider this point the Court adjourned for half an hour, the more readily, it was afterwards alleged, because one of their number, John Downes, was about in spite of Cromwell's anger to rise and startle the audience by pleading publicly that the King's request might be granted.² On its return the Court declared against Charles's request, and, after two more attempts made by the King to reopen the question, Bradshaw made a long speech, in which, after quoting the precedents of the depositions of Edward II., Richard II., and Mary, Queen of Scots, and arguing that Charles had planned the destruction of the realm, he called on the clerk to read the formal sentence. In vain Charles pleaded for permission to answer Bradshaw's imputations. He was told that it was too late, and the formal sentence upon him of being beheaded as a traitor was then read.

¹ *A Continuation of the Narrative*, E. 540, 14.

² *State Trials*, v. 1, 210-13. All stories told against Cromwell at the trial of the regicides must, of course, be received with suspicion

After this Bradshaw called on the members of the Court to testify their approval by standing up. Not a member remained seated. The work of the day was at an end. In vain the King called out to be heard. Bradshaw at once interrupted him on the ground that the sentence had been already given. In broken words Charles uttered his protest whilst he was being dragged away. "I am not suffered to speak," were his last words; "expect what justice other people will have."¹ Cries of "Justice, justice!" were again raised as he was for the last time led away.

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The Court
approves.

Charles re-
moved.

¹ *A Continuation of the Narrative*, E. 540, 14; *State Trials*, iv. 1,116.

CHAPTER LXXI.

THE LAST DAYS OF CHARLES I.

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LXXI.

1649

Jan. 27.
Charles re-
moved to
Whitehall.Jan. 28.
Juxon
reads
prayers.Charles
taken to
St. James's.Hugh
Peters
preaches at
Whitehall.

As soon as the fatal sentence had been pronounced, Charles was led back to Cotton House, and then, after a short delay, removed to Whitehall, where he was allowed to spend the night. On Sunday, the 28th, he listened with reverent devotion to the prayers of the Church read to him by Bishop Juxon, who had been allowed to visit him now that he was lying under sentence of death.¹ At five o'clock in the afternoon he was conducted back to St. James's,² perhaps in order that the preparations for his execution might not reach his ears.

Words very different from those consolations which Juxon addressed to the King resounded on that Sunday morning in the Chapel of Whitehall, where Hugh Peters preached before the members of the High Court of Justice, in justification of those who were seeking the King's death.³ There was need of all his rude eloquence if those judges who had not yet given their signatures to the death warrant were to be steeled to the work before them. The protests

¹ In his letter of the 26th Lawrans states that Juxon was allowed to see the King on the 25th. This is, I believe, a mistake. See *C.J.* vi. 123, and Leicester's diary in *Blencowe*, 57.

² *The Moderate*, E. 540, 20.

³ Extracts from his sermons were given at his trial (*State Trials*, v. 1, 131-34), but there is some difficulty in assigning any one of them either to this sermon or to the one delivered on the previous Sunday.

against any attempt to act on that sentence were many and loud. On the 29th the members of the Assembly of Divines joined in supplicating for the King's life,¹ and on the same day two Dutch ambassadors, who had been specially despatched from the Netherlands for the purpose, made a similar request to the House of Commons.² It was also reported that Fairfax had urged the Council of Officers in the same direction,³ whilst it was no secret that the Prince of Wales had sent a blank sheet of paper, signed and sealed by himself, on which the Parliament might inscribe any terms they pleased. That the vast majority of the English people would have accepted this offer gladly was beyond all reasonable doubt.⁴

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Jan. 29.
Efforts to
save the
King's life.

It was but a small knot of men—a bare majority, if they were even that, amongst the sitting members of the High Court of Justice itself—who had fixedly determined that there should be no relenting; but they had Cromwell amongst them, and Cromwell's will, when once his mind had been made up, was absolutely inflexible. They had, moreover, behind them the greater part of the rank and file of the army, to whom the shortest issue seemed the best.

A resolute
minority.

The first difficulty encountered by those who were bent on carrying out the sentence of the Court was that of obtaining signatures to the death warrant in sufficient numbers to give even an appearance of unanimity amongst the judges. On Saturday, the 27th, a few more signatures had been added to those obtained on the 26th, but on the morning of Monday,

Jan. 27.
Difficulty
of obtain-
ing signa-
tures to the
death
warrant,

¹ Evidence of Corbet at Harvey's trial, *State Trials*, v. 1, 197.

² *C.J.* vi. 125.

³ *The Kingdom's Faithful Scout*, E. 541, 5.

⁴ A facsimile of this sheet of paper forms the frontispiece of Ellis's *Original Letters*, ser. I. vol. iii.

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which bore
an incor-
rect date.

the 29th, not only were many still wanting, but there was reason to believe that some of the judges who had already signed would refuse to repeat their signatures if called on to do so. Yet it was impossible to make use of the warrant of the 26th in its existing condition. It had been, as there is little doubt, dated on the 26th, and it presupposed a sentence passed on that day, whereas it was notorious that no sentence had been passed till the 27th. Under these circumstances the natural course of proceeding would have been to re-copy the warrant with altered dates. What was actually done was to erase the existing date, and to make such other alterations as were requisite to bring the whole document into conformity with actual facts. Of the names of the three officers finally charged with the execution of the sentence, Hacker, Huncks, and Phayre, that of Huncks alone was unaltered. The names over which those of Hacker and Phayre were written are now illegible, but they can hardly fail to have been those of men who shrank from carrying out the grim duty assigned to them.¹

How more
signatures
were
obtained.

Having by this extraordinary means secured the retention of the signatures already given, the managers of the business, whoever they were, applied themselves energetically to increase the number. The testimony of those regicides who pleaded after the Restoration that they had acted under compulsion must, indeed, be received with the utmost caution; but there is no reason to doubt that considerable pressure was put upon those judges who having agreed to the sentence now showed a dis-

¹ The evidence for all this is given in Thoms's *Death Warrant of Charles I.*, the warrant itself being in the library of the House of Lords.

inclination to sign the warrant. In all the stories by the regicides on their defence Cromwell takes a prominent place, and it is easy to understand how meanly he must have thought of men who, after joining in passing the sentence, declined to sign the warrant. When those members of the Court who were also members of Parliament took their places in the House, Cromwell is reported to have called on them to sign without further delay. "Those that are gone in," he said, "shall set their hands. I will have their hands now."¹

Later in the day, when the warrant lay for signature on a table in the Painted Chamber, the scene grew animated. It is said that Cromwell, whose pent-up feelings sometimes manifested themselves in horseplay, drew an inky pen across Marten's face, and that Marten inked Cromwell's face in return.² According to another story, which was for a long time accepted as true, Cromwell dragged Ingoldsby to the table, and forced him to sign by grasping his hand with a pen in it.³ The firmness of Ingoldsby's signature, however, contradicts the latter part of the assertion, though it is possible that some kind of compulsion was previously used to bring him to the point.

On the whole it will be safe to assume that great pressure was put, sometimes in rough military fashion, on those who hung back. On the other hand, there was no evidence given by any of the regicides, when put upon their trial, of any definite threats being used against those who made difficulties about signing. Downes, indeed, who did not sign at all, described himself as having been frightened into assenting to the judgment, but he had nothing to say about

A scene
in the
Painted
Chamber.

Nature of
the pres-
sure em-
ployed.

¹ *State Trials*, v. 1219.

² *Ib.* v. 1200.

³ *Clarendon*, xvi. 225.

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Number of
the signa-
tures.

any ill effects resulting to him on account of his refusal to sign.¹

In one way or another fifty-nine signatures were at last obtained. Nine out of the sixty-seven who had given sentence did not sign; but, on the other hand, Ingoldsby, who signed the warrant, had been absent when the sentence was passed.

Charles
at St.
James's.

Meanwhile, Charles was awaiting his certain fate with quiet dignity at St. James's. Ever since the commencement of the trial he had been annoyed by the presence of soldiers drinking and smoking even in his bedroom. Colonel Tomlinson, who had a general superintendence over the arrangements for his personal accommodation, was a man of humanity and discretion, and did his best to check the insolence of the men; but Hacker, who commanded the soldiers, was less considerate. Yet even Hacker was induced, a few nights before the trial was ended, to leave the King's bedchamber free, and this particular form of insult was not repeated.²

Jan. 29.
Charles
burns his
papers,
and is
visited by
his chil-
dren.

On the morning of the 29th Charles burnt his papers, including the keys of his ciphered correspondence.³ His two youngest children were then admitted to see him for the last time. Elizabeth, who had just completed her thirteenth year, was a delicate child, and had taken her father's misfortunes so deeply to heart that during the first days of the trial she was reported to have died of sorrow. Her brother, the little Duke of Gloucester, was still in his tenth year.

His last
words to
his
daughter,

Both the children burst into tears when they met their father's eye. Charles took them on his knees, telling his daughter not to sorrow overmuch as he

¹ *State Trials*, v.² *Evidence at Hacker's trial*, *ib.* v. 1, 176; *Herbert*, 123.³ *The Moderate*, E. 540, 20.

was about to die a glorious death ‘for the laws and liberties of this land and for maintaining the true Protestant religion.’ He then recommended her to ‘read Bishop Andrewes’s Sermons, Hooker’s Ecclesiastical Polity, and Bishop Laud’s book against Fisher.’ As for himself, he added, he had forgiven all his enemies, and hoped that God would also forgive them. He then charged his daughter to let her mother know ‘that his thoughts had never strayed from her, and that his love should be the same to the last.’ More followed of the outpourings of a father’s heart, ending with an injunction to the girl to forgive those who were now bringing him to the scaffold, but never to trust them, ‘as they had been most false to him.’

Charles had spoken to Elizabeth as to one come to years of discretion. He addressed his son in language suitable to his younger age. “Sweet-heart,” he said, “now they will cut off thy father’s head; mark, child, what I say: they will cut off my head and perhaps make thee a king; but, mark what I say: you must not be a king so long as your brothers Charles and James do live; for they will cut off your brothers’ heads when they can catch them, and cut off thy head too at the last, and therefore I charge you do not be made a king by them.” “I will sooner be torn in pieces first!” cried the gallant boy, gladdening his father’s heart by his words. In the end Charles divided his jewels between the children, retaining only the George cut in onyx and surrounded by diamonds. After many tears and embracings he dismissed them both, returning to prayer in the company of Juxon and Herbert.¹

and to his
son.

¹ The relations of this scene, two of them by the Princess Elizabeth herself, first appeared in an early edition of *Eikon Basiliké*, published in 1649, *i.e.* on or after March 25.

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Jan. 30.
Charles's
last morn-
ing.

On the morning of the 30th, the day appointed for his execution, Charles rose early. Herbert told him that he had dreamt of Laud's coming into the room and kissing his old master's hand. Charles had no thoughts to waste upon dreams, and merely replied "It is remarkable." "Herbert," he continued, "this is my second marriage-day. I would be as trim to-day as may be; for before night I hope to be espoused to my blessed Jesus." Then turning to things of earth,—“Let me have,” he said, “a shirt on more than ordinary, by reason the season is so sharp as probably may make me shake, which some observers may imagine proceeds from fear. I would have no such imputation; I fear not death. Death is not terrible to me: I bless my God I am prepared.”

After a while Juxon arrived, and as soon as Charles had finished setting aside the gifts intended for his children, he spent half an hour with him in private prayer. Then, in Herbert's presence, the Bishop read the morning service. By a remarkable coincidence the lesson for the day was the twenty-seventh chapter of Matthew, which contains the narrative of the Passion of the Lord. After the close of the service Charles continued in prayer and meditation till Hacker knocked at the door to summon him to Whitehall. Charles at once prepared to obey, and, accompanied by Tomlinson and Juxon, and closely followed by Herbert, he walked across St. James's Park between a double row of soldiers. When he arrived at Whitehall, he was allowed to rest for some time. Having eaten a piece of bread and drunk a glass of wine, he betook himself to prayer for the remainder of his allotted time.¹

He is con-
ducted to
Whitehall.

¹ Thus far I have followed Herbert, though with grave misgivings as to his accuracy of detail.

In the meanwhile strange preparations were being made on the scaffold which had been erected in front of the Banqueting House. Charles's refusal to plead before the Court had given rise to an idea that he might also refuse to submit voluntarily to the execution of the sentence which it had pronounced against him. Staples were therefore hammered into the floor of the scaffold to afford a purchase for ropes,¹ by aid of which, if any resistance were offered, the King could be forced down into the prone attitude in which victims were at that time beheaded. The delay in leading out the King was, however, too great to be accounted for by the time required for completing this arrangement, and it is not unlikely that the execution was deliberately postponed till the House had passed an Act forbidding the proclamation of any successor.² It was not till two o'clock that Charles was finally summoned to his earthly doom.³

When Charles stepped out upon the scaffold—probably from the central window of the Banqueting House⁴—the only friend who followed him was Juxon, Herbert having begged to be excused from witnessing the painful sight. No other persons were admitted to a place on the scaffold excepting Colonels Hacker and Tomlinson and the two masked figures of the executioner and his assistant. Below was a crowded mass of men and women who had come, for the most part, with sorrowing hearts, to witness Charles's last moments upon earth. To them he would gladly

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Prepara-
tions on
the
scaffold.The exe-
cution
delayed.Charles
on the
scaffold.

¹ *State Trials*, v. 1, 127, 1, 128.

² It was not passed till the beginning of the afternoon sitting. *C.J.* vi. 125.

³ *Moderate Intelligencer*, E. 541-4.

⁴ See Mr. Wyatt Papworth's argument in *Notes and Queries*, 3rd ser. iv. 195. This view is corroborated by Grignon's statement that Charles entered the scaffold 'par une des fenestres de la grande salle de Whitehall.' Grignon to Brienne, Feb. $\frac{1}{11}$, *R.O. Transcripts*.

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His last
speech.

have confided that last appeal to his subjects which he had been forbidden to make when he was hurried away from the Court; but the ranks of soldiers, horse and foot, drawn up immediately round the foot of the scaffold rendered all communication impossible. Charles therefore addressed himself to Juxon and Tomlinson, declaring that not he, but Parliament, had originated the Civil War. He then prayed that his enemies might be forgiven, and protested against the subjection of the country to the power of the sword. Nothing, he said, would prosper till men gave their dues to God, to the King, and to the people. For their duty to God, he recommended the convocation of a national synod freely chosen. For their duty to the King, it was not for him to speak. "For the people," he continued, "truly I desire their liberty and freedom as much as anybody whatsoever; but I must tell you that their liberty and freedom consists in having government, those laws by which their lives and their goods may be most their own. It is not their having a share in the government; that is nothing appertaining unto them. A subject and a sovereign are clean different things; and, therefore, until you do that—I mean that you put the people in that liberty—they will never enjoy themselves."¹

A confession of
faith.Charles
prepares
for death.

After another protest against the rule of the sword, and a declaration, made at Juxon's instance, that he died 'a Christian according to the profession of the Church of England,' Charles prepared for death. With the assistance of the executioner,²

¹ Fuller, in his *Church History*, xi. 41, says that this speech was not correctly taken. It can hardly be more than verbally inaccurate, as neither Juxon nor Tomlinson ever hinted that any correction was needed.

² There has always been a doubt as to the name of the executioner,

whose features, as well as those of his assistant, were effectually concealed by a mask, he confined his straggling locks within a white satin nightcap. He then exchanged with Juxon a few words of religious consolation, after which, placing in the Bishop's hands the George which he wore round his neck, he addressed to him the simple word 'Remember,' meaning, probably, to impress on him the importance of delivering the messages to the Prince and others with which he had already charged him.

Having bidden the executioner to refrain from striking till he stretched out his hands as a sign that he was ready, Charles laid himself down, placing his neck on the low block provided.¹ After a short delay, he made the signal agreed on. The axe fell, and the kingly head, with its crown of sorrows, dropped upon the scaffold. The executioner caught

The
execution.

but the evidence at Hulet's trial (*State Trials*, v. 1, 185) points to Brandon, the ordinary hangman.

¹ 'S'est luy mesme depouillé et mis par terre.' Grignon to Brienne, Feb. $\frac{1}{11}$, *R.O. Transcripts*. These words, and the evidence of a rough wood-cut in a contemporary broadside, of which a copy may be seen in my *Students' History of England*, is all that I need add to the controversy on the subject of the high and low block carried on in the newspapers in the summer of 1890. The author of *The Bloody Court* agrees with Grignon. That pamphlet, however, which has recently been alleged by Mr. Thorpe, in a paper read before the Society of Antiquaries on Feb. 26, 1891, and also in a communication to *The Antiquary* for May 1891, to be a contemporary production of high value, was really, as has been shown by Mr. Firth (*Academy*, Sept. 19), compiled after the Restoration. The greater part of it is reprinted with slight alterations from Το ξειφος [*sic*] των μαρτυρων, E. 637, 2, published July 10, 1651, and the rest from other pamphlets. Mr. Firth is inclined to attribute it to Gauden, and adds that if this be the case 'no statement contained in it can be received without independent confirmation.' Mr. Freeman has suggested to me that the sentence for treason being, in the case of men, to be hanged, drawn, and quartered, a low block would be more convenient than a high one for beheading a corpse, and that the same block was likely to be used in the exceptional cases when beheading was substituted by the grace of the Sovereign for the ordinary sentence.

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it up, and, holding it aloft, pronounced the accustomed formula, "Behold the head of a traitor!" A loud groan of horror and displeasure was the answer of the people to the announcement. They, at least, had no part in that day's deed. So hostile was their attitude, that orders were given to two troops of horse to patrol up and down the street in order to disperse the angry crowd.¹

The disposal
of the King's
body.

The King's body was at once placed in a coffin, and covered with a velvet pall. For some days it lay in the chamber at Whitehall in which Charles had spent his last minutes before his summons to the scaffold. It was there carefully embalmed, and when that operation had been accomplished was removed to St. James's. A request that it might be buried in Henry the Seventh's Chapel having been refused, Juxon and Herbert were allowed to inter their dead master in St. George's Chapel at Windsor. The sad procession set out from St. James's on February 7. On the 8th, the funeral at Windsor was attended by Richmond, Hertford, Southampton, Lindsey, and Juxon. As the coffin was brought to the chapel snow began to fall, and gave to the pall, as the little company loved to remember, 'the colour of innocence.' The White King, as men named him—calling to memory the white satin dress in which, unlike his predecessors, he had clothed himself at his coronation, and the omens of disaster which were believed to be connected with the name—was borne to the grave in silence. Juxon had prepared himself to read the burial service from the Book of Common Prayer, but Whichcott, the governor of the Castle, forbade him to use any other form but that of the Directory. The coffin was then lowered into

Feb. 8.
The King's
funeral.

¹ *State Trials*, v. 1, 185.

the vault which had been opened to receive it—the same in which Henry VIII. and Jane Seymour had been buried more than a century before.¹

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Those who brought Charles to the scaffold strengthened the revulsion of feeling in his favour which had begun to set in ever since it had been clearly brought home to the nation that its choice lay between the rule of the King and the rule of the sword. It is indeed true that the feeling hostile to the army was not created by the execution of Charles, but its intensity was greatly strengthened by the horror caused by the spectacle of sufferings so meekly endured.

Charles's own patience, and the gentleness with which he met harshness and insult, together with his own personal dignity, won hearts which might otherwise have been steeled against his pretensions. The often-quoted lines of Andrew Marvell set forth the impression which Charles's bearing on the scaffold produced on even hostile spectators :

He nothing common did or mean,
Upon that memorable scene,
But with his keener eye
The axe's edge did try ;
Nor called the gods, with vulgar spite,
To vindicate his helpless right ;
But bowed his comely head
Down, as upon a bed.

Marvell's verses embodied his own recollections of the external dignity of the man. A little book, which under the title of *Eikon Basiliké* was issued with calculated timeliness to the world on February 9,² the day after the King's funeral, purported to

Feb. 9.
Eikon
Basiliké.

¹ *Herbert's Memoirs*, 135–144.

² The copy in the Museum Library (E. 1,096), marked by Thomason 'The first impression,' is also noted by him as being issued on 'Feb. 9th.'

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be the product of Charles's own pen, and aimed at being a spiritual revelation of the inmost thoughts of the justest of sovereigns and the most self-denying of martyrs. Its real author, Dr. John Gauden,¹ a nominally Presbyterian divine, caught with great felicity the higher motives which were never absent from Charles's mind, and gave to the narratives and meditations of which the book consisted enough of dramatic veracity to convince all who were prepared to believe it that they had before them the real thoughts of the man who had died because he refused to sacrifice law and religion to an intriguing Parliament and a ruffianly army. The demand for the book was well nigh unlimited. Edition after edition was exhausted almost as soon as it left the press. The greedily devoured volumes served to create an ideal image of Charles which went far to make the permanent overthrow of the monarchy impossible.

The two
sides of
Charles's
character.

The ideal thus created had the stronger hold on men's minds because it faithfully reproduced at least one side of Charles's character. The other side—his persistent determination to ignore all opinions divergent from his own, and to treat all by whom they were entertained as knaves or fools—had been abundantly illustrated in the course of the various negotiations which had been carried on from time to time in the course of the Civil War. It finally led to a struggle for the possession of that Negative Voice which, if only the King could succeed in retaining it, would enable him to frustrate all new legislation even when supported by a determined national

His claim
to the
Negative
Voice,

¹ Mr. Doble's letters in *The Academy* for May 12, 26, June 9, 30, 1883, have finally disposed of Charles's claim to the authorship of the book.

resolve. On the one side was undoubtedly both law and tradition; on the other side the necessity of shaping legislation by the wishes of the nation, and not by the wishes of a single man or of a single class.

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and uncom-
promising
attitude.

Fortunately or unfortunately such abstract considerations seldom admit of direct application to politics. It is at all times hard to discover what the wishes of a nation really are, and least of all can this be done amidst the fears and passions of a revolutionary struggle. Only after long years does a nation make clear its definite resolve, and for this reason wise statesmen—whether monarchical or republican—watch the currents of opinion, and submit to compromises which will enable the national sentiment to make its way without a succession of violent shocks. Charles's fault lay not so much in his claim to retain the Negative Voice as in his absolute disregard of the conditions of the time, and of the feelings and opinions of every class of his subjects with which he happened to disagree. Even if those who opposed Charles in the later stages of his career failed to rally the majority of the people to their side, they were undoubtedly acting in accordance with a permanent national demand for that government of compromise which slowly but irresistibly developed itself in the course of the century.

Nor can it be doubted that, if Charles had, under any conditions, been permitted to reseal himself on the throne, he would quickly have provoked a new resistance. As long as he remained a factor in English politics, government by compromise was impossible. His own conception of government was that of a wise prince constantly interfering to check the madness of the people. In the Isle of Wight he

Charles's
conception
of politics.

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wrote down with approval the lines in which Claudian, the servile poet of the Court of Honorius, declared it to be an error to give the name of slavery to the service of the best of princes, and asserted that liberty never had a greater charm than under a pious king.¹ Even on the scaffold he reminded his subjects that a share in government was nothing appertaining to the people. It was the tragedy of Charles's life that he was entirely unable to satisfy the cravings of those who inarticulately hoped for the establishment of a monarchy which, while it kept up the old traditions of the country, and thus saved England from a blind plunge into an unknown future, would yet allow the people of the country to be to some extent masters of their own destiny.

The Independents
driven to
rely on the
army.

Yet if Charles persistently alienated this large and important section of his subjects, so also did his most determined opponents. The very merits of the Independents—their love of toleration and of legal and political reform, together with their advocacy of democratic change—raised opposition in a nation which was prepared for none of these things, and drove them step by step to rely on armed strength rather than upon the free play of constitutional action. But for this, it is probable that the Vote of No Addresses would have received a practically unanimous support in the Parliament and the nation, and that in the beginning of 1648 Charles would have been dethroned, and a new government of some kind or other established with good hope of success. As it was, in their despair of constitutional support, the Independents were led in spite of their

¹ "Fallitur egregio quisquis sub Principe credit
Servitium; nunquam libertas gratior extat
Quam sub Rege pio." *Herbert*, 45.

better feelings to the employment of the army as an instrument of government.

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Charles's
duplicity.

The situation, complicated enough already, had been still further complicated by Charles's duplicity. Men who would have been willing to come to terms with him, despaired of any constitutional arrangement in which he was to be a factor; and men who had long been alienated from him were irritated into active hostility. By these he was regarded with increasing intensity as the one disturbing force with which no understanding was possible and no settled order consistent. To remove him out of the way appeared, even to those who had no thought of punishing him for past offences, to be the only possible road to peace for the troubled nation. It seemed that so long as Charles lived deluded nations and deluded parties would be stirred up, by promises never intended to be fulfilled, to fling themselves, as they had flung themselves in the Second Civil War, against the new order of things which was struggling to establish itself in England.

Of this latter class Cromwell made himself the mouthpiece. Himself a man of compromises, he had been thrust, sorely against his will, into direct antagonism with the uncompromising King. He had striven long to mediate between the old order and the new, first by restoring Charles as a constitutional King, and afterwards by substituting one of his children for him. Failing in this, and angered by the persistence with which Charles stirred up Scottish armies and Irish armies against England, Cromwell finally associated himself with those who cried out most loudly for the King's blood. No one knew better than Cromwell that it was folly to cover the execution of the King with the semblance of consti-

Cromwell
and
Charles.

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tutional propriety, and he may well have thought that, though law and constitution had both broken down, the first step to be taken towards their reconstruction was the infliction of the penalty of death upon the man who had shown himself so wanting in that elemental quality of veracity upon which laws and constitutions are built up. All that is known of Cromwell's conduct at the trial—his anger with Downes's scruples and the pressure which he put upon those who were unwilling to sign the death warrant—point to his contempt for the legal forms with which others were attempting to cover an action essentially illegal.

Cruel
necessity.

Tradition has handed down an anecdote which points to the same explanation of the workings of Cromwell's mind. "The night after King Charles was beheaded," it is said, "my Lord Southampton and a friend of his got leave to sit up by the body in the Banqueting House at Whitehall.¹ As they were sitting very melancholy there, about two o'clock in the morning they heard the tread of somebody coming very slowly upstairs. By-and-by the door opened, and a man entered very much muffled up in his cloak, and his face quite hid in it. He approached the body, considered it very attentively for some time, and then shook his head, sighed out the words, 'Cruel necessity!' He then departed in the same slow and concealed manner as he had come. Lord Southampton used to say that he could not distinguish anything of his face; but that by his voice and gait he took him to be Oliver Cromwell."²

¹ I gather from Herbert's narrative that the body was at once placed in the room in which Charles passed the last hours before he was conducted through the Hall. The substitution of the Hall for the room is, however, of little moment in deciding upon the genuineness of this tradition.

² Spence's *Anecdotes*, 286. Spence heard the story from Pope,

Whether the necessity really existed or was but the tyrant's plea is a question upon the answer to which men have long differed, and will probably continue to differ. All can perceive that with Charles's death the main obstacle to the establishment of a constitutional system was removed. Personal rulers might indeed reappear, and Parliament had not yet so displayed its superiority as a governing power to make Englishmen anxious to dispense with monarchy in some form or other. The monarchy, as Charles understood it, had disappeared for ever. Insecurity of tenure would make it impossible for future rulers long to set public opinion at naught, as Charles had done. The scaffold at Whitehall accomplished that which neither the eloquence of Eliot and Pym nor the Statutes and Ordinances of the Long Parliament had been capable of effecting.

So far the work of Cromwell and his associates had been purely negative. They had overthrown everything; they had constituted nothing. They fondly hoped that when the obstacle to peace had been removed they would be able securely to walk in the ways of peace. It was not so to be. The sword destroys but it can do no more, and it would be left for others than the stern warriors who guarded the scaffold of the King to build up slowly and painfully that edifice of constitutional compromise for which Cromwell had cleared the ground.

and there need have been only one intermediate narrator between Pope and Southampton. The story has the appearance of truth, especially as any one inventing it at the end of the seventeenth or the beginning of the eighteenth century would have been likely to ascribe Cromwell's conduct to personal ambition, not to a sense of 'cruel necessity.'

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Was there
a necessity?

APPENDIX.

*The Agreement of the People, as presented to the
Council of the Army, October 28, 1647.¹*

AN Agreement of the People for a firm and present peace upon grounds of common right.

Having by our late labours and hazards made it appear to the world at how high a rate we value our just freedom, and God having so far owned our cause as to deliver the enemies thereof into our hands, we do now hold ourselves bound in mutual duty to each other to take the best care we can for the future to avoid both the danger of returning into a slavish condition and the chargeable remedy of another war; for, as it cannot be imagined that so many of our countrymen would have opposed us in this quarrel if they had understood their own good, so may we safely promise to ourselves that, when our common rights and liberties shall be cleared, their endeavours will be disappointed that seek to make themselves our masters. Since, therefore, our former oppressions and scarce-yet-ended troubles have been occasioned, either by want of frequent national meetings in Council, or by rendering those meetings ineffectual, we are fully agreed and resolved to provide that hereafter our representatives be neither left to an uncertainty for the time nor made useless to the ends for which they are intended. In order whereunto we declare:—

I.

That the people of England, being at this day very unequally distributed by Counties, Cities, and Boroughs for

¹ *An Agreement of the People for a firm and present peace, &c.,*
E. 412, 21.

the election of their deputies in Parliament, ought to be more indifferently proportioned according to the number of the Inhabitants ; the circumstances whereof for number, place, and manner are to be set down before the end of this present Parliament.

II.

That, to prevent the many inconveniences apparently arising from the long continuance of the same persons in authority, this present Parliament be dissolved upon the last day of September which shall be in the year of our Lord 1648.

III.

That the people do, of course, choose themselves a Parliament once in two years, viz. upon the first Thursday in every 2d March,¹ after the manner as shall be prescribed before the end of this Parliament, to begin to sit upon the first Thursday in April following, at Westminster or such other place as shall be appointed from time to time by the preceding Representatives, and to continue till the last day of September then next ensuing, and no longer.

IV.

That the power of this, and all future Representatives of this Nation, is inferior only to theirs who choose them, and doth extend, without the consent or concurrence of any other person or persons, to the erecting and abolishing of offices and courts, to the appointing, removing, and calling to account magistrates and officers of all degrees, to the making war and peace, to the treating with foreign States, and, generally, to whatsoever is not expressly or impliedly reserved by the represented to themselves:

Which are as followeth,

1. That matters of religion and the ways of God's worship are not at all entrusted by us to any human power, because therein we cannot remit or exceed a tittle of what our consciences dictate to be the mind of God

¹ *i.e.* in March in every other year.

without wilful sin : nevertheless the public way of instructing the nation (so it be not compulsive) is referred to their discretion.

2. That the matter of impresting and constraining any of us to serve in the wars is against our freedom ; and therefore we do not allow it in our Representatives ; the rather, because money (the sinews of war), being always at that disposal, they can never want numbers of men apt enough to engage in any just cause.

3. That after the dissolution of this present Parliament, no person be at any time questioned for anything said or done in reference to the late public differences, otherwise than in execution of the judgments of the present Representatives or House of Commons.

4. That in all laws made or to be made every person may be bound alike, and that no tenure, estate, charter, degree, birth, or place do confer any exemption from the ordinary course of legal proceedings whereunto others are subjected.

5. That as the laws ought to be equal, so they must be good, and not evidently destructive to the safety and well-being of the people.

These things we declare to be our native rights, and therefore are agreed and resolved to maintain them with our utmost possibilities against all opposition whatsoever ; being compelled thereunto not only by the examples of our ancestors, whose blood was often spent in vain for the recovery of their freedoms, suffering themselves through fraudulent accommodations to be still deluded of the fruit of their victories, but also by our own woeful experience, who, having long expected and dearly earned the establishment of these certain rules of government, are yet made to depend for the settlement of our peace and freedom upon him that intended our bondage and brought a cruel war upon us.

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